A TRUE 1

RELATION

Of His Majesties comming to

COVENTRY

Upon Saterday last, and how the Citizenr of Coventrie shut up the Gates against him, comming with a great Number of Cavaleers, with the number of those forces that came with him thither, and his *Majesties* Resolution thereupon.

Sent in a Letter from the Committee that are resident there to the House of Commons, August 22. And Ordered to be forthwith printed and published.

Likewise the, Confession of four Popish Priests before the Committee, *August* 23. With the taking of two pieces of Ordnance, one murdering piece, Bullets, and divers Balls of wild fire, at one Mr. *Molleins* house near Grayes Inne, a great Papist, and now with the King.

Ordered that this be forthwith printed and published

John. Brown. Cler. Parl.

Printed for *J. Hanson*, *August* 24. 1642.

MVSEVM
BRITAN
NICVM

Exceeding ioyfull Newes from Coventry, being an exact Relation of his Maiesties comming to Coventrie, with 6000. men, August the 20.

VPon *Monday* last, there was information given to the House of Commons by Letters from *Warwickeshire*, that his Majesty came to *Coventry* upon Saturday last, with a great number of Cavaleers, his whole Army consisting of about 6000 horse, which the Citizens of *Coventry* perceiving, they shut up the Gates of the City, and stood upon their Guard.

Whereupon his Majesty retyred to a Knights house about three miles from *Coventry*, and the Cavaleers made the poore Country mens houses their Innes, and there

there made their own welcome, taking what they please.

His Majesty hath also caused Warrants to be sent to the Sheriffe, and other Officers of the County to raise the power of the County to aid and assist him at his comming thither, but very few obeyed him therein.

He hath likewise caused the Country to be summoned to appear before him on Monday next, when it is thought he intends to set up his *Standard*, and that he is resolved to march with his forces against *Warwicke Castle*, before which the Earl of *Northampton* lyes with some Forces, but hath little hopes of gaining the same.

The confession of the four Jesuits before the Committee in the Court of Wards.

IT being well known to the great Assembly of Parliament, that the Papists of this Kingdome have not only bin the Fountains and Plotters of the present dis-

stractions

ſtractions of this Kingdom, but alſo the chiefe inſtrumentall Agents that do perſonally endeavour to maintain Warre againſt the Parliament, and becauſe many Prieſts and Ieſuits are ſtill reſident in this Kingdom contrary to the Lawes of the Land.

The wiſdome of that Honourable Aſſembly taking the ſame into conſideration ſent forth Warrants for the ſearching of all ſuſpected Houſes, to ſee what Armes could be taken therein.

As alſo to apprehend any ſuſpicious perſons that they ſhould find therein, and amongſt many other places divers of the Trained Bands and other Officers came to Doctor *Gibs* his houſe in Covent Garden, being ſcituate neer unto Bedford houſe, and at their firſt Entrance into the Houſe, the ſaid Doctor ſeemed to be very much diſcontented, and would have kept them out of his houſe, but perceiving that it was in vain, there being about twenty Muſquetiers, ready charged with Bullets,

he

there made their own welcome, taking what they please.

His Majesty hath also caused Warrants to be sent to the Sheriffe, and other Officers of the County to raise the power of the County to aid and assist him at his comming thither, but very few obeyed him therein.

He hath likewise caused the Country to be summoned to appear before him on Monday next, when it is thought he intends to set up his *Standard*, and that he is resolved to march with his forces against *Warwicke Castle*, before which the Earl of *Northampton* lyes with some forces, but hath little hopes of gaining the same.

The confession of the four Jesuits before the Committee in the Court of Wards.

IT being well known to the great Assembly of Parliament, that the Papists of this Kingdome have not only bin the Fountains and Plotters of the present distractions

ſtractions of this Kingdom; but alſo the chiefe inſtrumentall Agents that do perſonally endeavour to maintain Warre againſt the Parliament, and becauſe many Prieſts and Jeſuits are ſtill reſident in this Kingdom contrary to the Lawes of the Land.

The wiſdome of that Honourable Aſſembly taking the ſame into conſideration ſent forth Warrants for the ſearching of all ſuſpected Houſes, to ſee what Armes could be taken therein.

As alſo to apprehend any ſuſpicious perſons that they ſhould find therein, and amongſt many other places divers of the Trained Bands and other Officers came to Doctor *Gibs* his houſe in Covent Garden, being ſcituate neer unto Bedford houſe, and at their firſt Entrance into the Houſe, the ſaid Doctor ſeemed to be very much diſcontented, and would have kept them out of his houſe, but perceiving that it was in vain, there being about twenty Muſquetiers, ready charged with Bullets,

he

there made their own welcome, taking what they please.

His Majesty hath also caused Warrants to be sent to the Sheriffe, and other Officers of the County to raise the power of the County to aid and assist him at his comming thither, but very few obeyed him therein.

He hath likewise caused the Country to be summoned to appear before him on Monday next, when it is thought he intends to set up his *Standard*, and that he is resolved to march with his forces against *Warwicke Castle*, before which the Earl of *Northampton* lyes with some forces, but hath little hopes of gaining the same.

The confession of the four Jesuits before the Committee in the Court of Wards.

IT being well known to the great Assembly of Parliament, that the Papists of this Kingdome have not only bin the Fountains and Plotters of the present distractions

ſtractions of this Kingdom; but alſo the chiefe inſtrumentall Agents that do perſonally endeavour to maintain Warre againſt the Parliament, and becauſe many Prieſts and Ieſuits are ſtill reſident in this Kingdom, contrary to the Lawes of the Land.

The wiſdome of that Honourable Aſſembly taking the ſame into conſideration ſent forth Warrants for the ſearching of all ſuſpected Houſes, to ſee what Armes could be taken therein.

As alſo to apprehend any ſuſpicious perſons that they ſhould find therein, and amongſt many other places divers of the Trained Bands and other Officers came to Doctor *Gibs* his houſe in Covent Garden, being ſcituate neer unto Bedford houſe, and at their firſt Entrance into the Houſe, the ſaid Doctor ſeemed to be very much diſcontented, and would have kept them out of his houſe, but perceiving that it was in vain, there being about twenty Muſquetiers, ready charged with Bullets,

he

there made their own welcome, taking what they please.

His Majesty hath also caused Warrants to be sent to the Sheriffe, and other Officers of the County to raise the power of the County to aid and assist him at his comming thither, but very few obeyed him therein.

He hath likewise caused the Country to be summoned to appear before him on Monday next, when it is thought he intends to set up his *Standard*, and that he is resolved to march with his forces against *Warwicke Castle*, before which the Earl of *Northampton* lyes with some Forces, but hath little hopes of gaining the same.

The confession of the four Jesuits before the Committee in the Court of Wards.

IT being well known to the great Assembly of Parliament, that the Papists of this Kingdome have not only bin the Fountains and Plotters of the present distractions

ſtractions of this Kingdom; but alſo the chiefe inſtrumentall Agents that do perſonally endeavour to maintain Warre againſt the Parliament, and becauſe many Prieſts and Ieſuits are ſtill reſident in this Kingdom contrary to the Lawes of the Land.

The wiſdome of that Honourable Aſſembly taking the ſame into conſideration ſent forth Warrants for the ſearching of all ſuſpected Houſes, to ſee what Armes could be taken therein.

As alſo to apprehend any ſuſpicious perſons that they ſhould find therein, and amongſt many other places divers of the Trained Bands and other Officers came to Doctor *Gibs* his houſe in Covent Garden, being ſcituate neer unto Bedford houſe, and at their firſt Entrance into the Houſe, the ſaid Doctor ſeemed to be very much diſcontented, and would have kept them out of his houſe, but perceiving that it was in vain, there being about twenty Muſquetiers, ready charged with Bullets,

he

He left ſome of them to ſearch the houſe, and ran up ſtaires to give intelligence to ſome Prieſts, that were at maſſe in a chamber in the ſaid houſe, and notwithſtanding that, hee was preſently followed by ſome of the Trayned Bands, yet they eſcaped out of the ſaid houſe; but not ſo privately, but that it was perceived.

Wherupon they preſently laid hold on the ſaid Doctor, and many of them purſued thoſe that were fled out of the houſe, one of them whoſe name was *Roberts*, being Gentleman Uſher to a Scottiſh Lady, that lay at the ſaid Doctors houſe, eſcaped over a wall, leaping down into *Bedford Garden*, the ſaid wall being about 16. foot high, and the other two viz. *Thimbleton*, and Father *Brown* were ſlipt into a private Chappell, which they uſed to ſay maſſe in, adjoyning to the ſaid houſe.

And being all taken they were brought to the *Parliament*, *about two of the clocke in the Afternoon, this inſtant Monday, being the 22. of Auguſt.*

And

And the house being then risen a Committee in the Court of Wards, before whom they were examined.

The first that were examined, was one *Roberts*, who confessed, that he was a *Roman Catholique*, and that hee had bin beyond the Seas, but at the first, denyed that he had received any Orders.

Then Father *Brown* being examined, confessed that he was a Priest, and that hee had bin banished, he having been a Priest above 20. years.

He likewise confessed, that he had said Masse many times very lately, and that the said *Roberts* and *Thimbleton* were both Priests, and that *Roberts* said masse in the Chappell where they were taken but yesterday.

He likewise said, that the said Dr. *Gibs* was a Priest, and had received Orders from *Rome*, and the Doctor being examined, confessed the same.

But *Roberts* being a fellow, whose countenance discovers to be a very insolent and ob-

obstinate person, with many Oaths and Protestations, denyed that he was any such man.

After which examination they were all committed to severall prisons, there to remain till the next Sessions, for their further tryall.

This day search being made in a house of one Mr. *Molleins* in *Baulding Gardens*, neer *Grayes Inne*, being a great Papist (and now with the King) there was found two great pieces of Ordnance, one murdering piece, with many Balls of wild-fire, Bullets, and other Ammunition.

Ordered by the Lords and Commons, That this be printed and published.

John Brown Cler. Parliament.

Hen. Elling Cler. Par. D. Com.

FINIS.

DER LESESAAL

2

THE ANSVVER

OF

Sir Edward Herbert, Knight,

His Majesties Attorney Generall;

TO THE

IMPEACHMENT

Exhibited against him

By the Honourable House of *Commons*

In this present Parliament assembled.

John Browne Cleric. Parliamentorum.

Printed at London for *George Tomlinson*,
August 24. 1642.

THE ANSWER OF Sir Edward Herbert, Knight, His Majesties Attorney General TO THE IMPEACHMENT Exhibited By the Honourable House of Commons In the present Parliament assembled.

Printed at London for George Tomlyns. August 24. 1642.

The answer of Sr *Edward Hayward* Knight, his Maiesties Attorney Generall, to the impeachment exhibited against him by the honourable House of Commons in this present Parliament.

THe said defendant saving to himselfe now and at all times hereafter, all just exception to the said impeachment, as the same is charged, for answer, saith and acknowledgeth, that he is, and the third day of January last past was his Majesties Attorney Generall sworne: but whereas he is charged with the malicious, false and scandalous, advising and contriving the Articles in the said impeachment mentioned, he saith, that hee was and is so farre from any malice, falshood or scandall, in the advising and contriving of the same, or any of them, that he did not at all advise or contrive the said Articles, or any of them, ever knew or heard of

them or any of them, untill hee received them from his Majeſties hands the ſaid third day of January laſt paſt, ready ingroſſed in paper, and as ſo that part of the ſaid impeachment which chargeth this defendant with the exhibiting of the ſaid Articles to this Honourable Houſe, he ſaith, that upon the ſaid third day of January hee repaired to his Majeſty by his command, who then delivered unto this defendant a paper containing the Articles in the ſaid impeachment mentioned, and did command him in his Majeſties name, to acquaint this Honourable Houſe, that divers great and treaſonable deſignes and practices againſt his Majeſty and the State, and come to his Majeſties knowledge, for which his Majeſty commanded this defendant in his Majeſties name, to accuſe ſix Members in the ſaid paper mentioned, of high Treaſon, and other high miſdemeanours, by delivering that paper to your Lordſhips, and to deſire to have it read: and further to deſire in his Majeſties name that a ſelect Committee of Lords might be appointed to take the examinations of ſuch witneſſes as his Majeſty ſhould produce, as formerly had beene done in caſes of like nature, according to the juſtice of this Houſe, and that Committee to be under a command of ſecreſie, as formerly: and further in his Majeſties name to aske liberty to adde and alter, if there ſhould be cauſe, according to juſtice: and likewiſe that your Lordſhips would take care of the ſecuring

of

of the ſaid perſons, as in juſtice there ſhould be cauſe, and according to his Majeſties ſaid command, this defendant did come to this Honourable Houſe the ſaid third day of January, and then after the Right Honourable *Edward* Lord *Littleton*, Lord Keeper of the Great Seale of England had declared to this Honourable Houſe, that hee was commanded by his Majeſty to let your Lordſhips know, that his Majeſty had given this defendant command to acquaint your Lordſhips with ſome things from his Majeſty. This defendant thereupon the ſaid third day of January, in this Honourable Houſe, before your Lordſhips then and there ſitting in Parliament, in obedience to his Majeſties ſaid commands as a meſſage from him did declare the foreſaid commands of his Majeſty, by acquainting your Lordſhips that the King had commanded him to tell your Lordſhips, that divers great and treaſonable deſignes and practices againſt him and the State, had come to his Majeſties knowledge, for which the King had given his command to accuſe ſix perſons of high Treaſon, and other high miſdemeanours, by delivering theſe Articles: And that he was commanded to deſire your Lordſhips to have them read, which by your Lordſhips command were accordingly read by the Clarke, and then further declared, that hee was alſo commanded by his Majeſtie to deſire on his Majeſties behalfe, that a ſelect Committee might be appointed to take the

examination of ſuch witneſſes as the King would produce, as formerly had beene in caſes of like nature, according to the juſtice of this Houſe: and this Committee to be under a command of ſecreſie, as formerly: and that he was commanded to aske liberty to adde according to juſtice: and that he was commanded to deſire, that your Lordſhips would take care for the ſecuring of thoſe perſons, as in juſtice there ſhall bee cauſe, and after as there ſhall bee cauſe: And ſaith hee did not conceive there could bee any offence in what was ſo done by him in this Honourable Houſe, in obedience to thoſe his Majeſties commands, being wholly thereby leſtto your Lordſhips wiſedomes and judgements, being his Majeſties great Councell, and greateſt Court for advice and juſtice. And as touching the falſe, ſcandalous, and malicious adviſing, contriving, or publiſhing the ſaid Articles, or any other Articles againſt the ſaid perſons in the ſaid paper mentioned, or any of them, or any breach of his defendants oath of Attorney Generall, and to the falſe, unlawfull and malicious exhibiting the ſaid Articles into this Honourable Houſe, or cauſing any entry thereof to be made, and the intent and indeavour, falſly, unlawfully and maliciouſly to deprive this Honourable Houſe, or the Honourable Houſe of Commons, or any of the Members of the ſaid Houſes, or to take away any of their lives, eſtates, or good names, and every offence

and miſdemeanour charged by the ſaid impeachment upon this defendant, he ſaith he is not guilty of them, or any of them, in ſuch manner and forme as by the ſaid impeachment is charged. All which matters and things this defendant is andwill be ready to averre and prove in ſuch ſort as to this Honourable Houſe of Parliament ſhall ſeeme meet.

Tho: Gardiner. *Iohn Fountayne.*
Copia vera. *Arthur Trevor.*

Iohn Browne Cleric. Parliamenterum.

FINIS.

EXCEEDING

GOOD NEWS

FROM

OXFORD-SHIRE:

Being a true Relation of the manner of the apprehending of the Earle of *Berkshire*, Sir *John Curson*, Sir *Robert Dormer*, and diverse other Cavaliers in *Oxfordshire*, by Colonell *Hampden*, and Col. *Goodwyn*.

ALSO

The valiant Resolution of the City of Chichester *for the defence of the King and Parliament, and the true Protestant Religion.*

Joh. Brown, Cler. Parl.

Printed for *Tho. Edwards. August* 24. 1642.

GOOD JEWS

GOOD NEWES
FROM
OXFORD-SHIRE:

Being a true Relation of the manner of the taking of the Earle of *Berkshire*, Sir *John Curson*, Sir *Robert Dormer*, and divers other Cavaliers in *Oxfordshire*, by Colonell *Hampden*, and Colonell *Goodwyn*.

ALSO

The Resolution of the City of Chichester *for the defence of the Parliament.*

THe great and manifold distractions and disturbances that at this present have in a manner overspread and obscured the lustre of this (not long since) glorious Kingdome, have of late beene very prevalent. Who so looks into the North, may

ſee a cloud ariſing which portends a ſtorme, a ſtorme of civill warre, growing black and diſaſterous. The actions of the Cavaliers in thoſe parts ſpeak them bloudy and tyrannicall: the proceedings of the Malignant Party continue hoſtile and inhumane, having made deſperate attempts againſt diverſe brave and flouriſhing townes: but hitherto they have not been very proſperous, but have been moſt couragiouſly reſiſted by the inhabitants in moſt places they have come at: you may ſee an example of it in this enſuing diſcourſe, in the attempt of the Earle of *Berkſhire* to ſurprize the Magazine, and put in execution the Commiſſion of Array in *Oxfordſhire*.

After the marching out of the forces under the command of Colonell *Hampden* and Colonell *Goodwyn* into *Oxfordſhire*, they had not been long there, but they tooke the Earle of *Berkſhire*, Sir *John Curſon*, Sir *Robert Dormer*, and one more that was a Gentleman of very good quality at *Watlington* in the County of *Oxford*, which were come thither with an intent to ſeize upon the Magazine of that part of the county, which was laid in the ſaid towne, and had a purpoſe to put in execution the Commiſſion of Array in thoſe parts, having ſent Warrants to *Reading* and other places for that purpoſe. Whereupon report being made to the

Houſe

House, that Col nell *Goodyn* and Captaine *Turvill* were bringing them up to the Parliament, and would be there in the afternoone; whereupon the House rose about twelve a clock, and appointed to meet againe in the afternoone: and about three of the clocke the Lords House being compleat, the Earle of *Berkshire* with the rest of the Delinquents were brought to the House, and after some examination they were sent prisoners to the Tower, with order that they should attend the House again the next day, which he did accordingly, being brought from the Tower to the Lords House, and after he was examined concerning his going about to put in execution the Commission of Array which was found with him; he was sent back againe to the Tower, till the House should send for him.

The Parliament have received information by a Letter from *Oxford*, signifying that Colonell *Lunsford* is sent for hither; and when it was noysed there that Colonell *Lunsford* had taken the Earle of *Berkshire*, and some others of those of the University and City that were ill-affected to the King and Parliament, feared his coming thither, and caused many great peices of timber to be laid crosse the Bridge to keep out his horse. Whereby may easily be perceived how well the Prelaticall faction the incendiaries of the kingdom, stand affected to peace

The

The knowledge of the Earle of *Northamptons* violent attempt against the Lord *Brook* hath been acquainted to all, how that by a wile more then valour he tooke and carried away the greatest part of the Magazine from *Banbury*, and by that power and strength he thought to possesse himselfe of the castle of *Warwick*. But God who doth always assist the pious and faithfull endeavours of his servants, turned his counsell into folly, and all his strength and policie into weakneſse and impotency. The said Earle had gathered together a great number of men of such mercenary spirits, who were induced to serve him, not for the honour of the cause, but for the advantage of the profered wages, for they were allowed two shillings a day during the whole time of the present service, and (being men of desperate fortunes, and altogether destitute of present subsistence) were ready to adventure upon any enterprise whereby something might be gotten, knowing they had nothing to beloſt. The Earle, I say, having gotten the advantage both of strength and men, and the opportunity of time, began to adventure his forces, to bring the whole Countrey into subiection. But his intentions were soon frustrate, for when he was in the highest hopes of his ambitious designes, expecting that victory should have crowned him the Hector of the field, and the Minion of the day, then did the

countrey

countrey unanimously, with the assistance of divers Volunteers out of *Northamptonshire*, and with a joynt consent in the vindication of so just a cause, hazard both lives and fortunes, came and opposed the Earle in his rash and violent proceedings: whereupon the Earle perceiving himself so strongly opposed, after a small combate, he was willing to forsake his former enterprise, and was forced with all speed to betake him to a place of strength where he might be secure from their prosecution. Many of his men fell in that skirmish, it is reported that about forty men lost their lives, and paid nature the debt they owed her. He lost in this skirmish the greatest part of the *Militia* which he had before taken from *Banbury*, and had he not saved himselfe by flight, he hardly had survived to have made any more attempts, to the disquiet of the whole kingdome, and the subversion of the Christian and Protestant Religion.

The City of *Chester* stands now in a good posture of defence, and have declared their Resolution to the Parliament, being resolved to adventure both their lives and fortunes for the defence and maintenance of the true Protestant Religion, the Lawes of the Land, the Priviledges of Parliament, and Liberty of the Subject, against any that shall oppose it: yet some ill-affected persons have plotted to betray the Towne, and some Ministers have made seditious

tious Sermons to that purpose. For the prevention of these and other disorders, and to prevent the danger that may arise by the malignity of the Popish party, The Lords and Commons do declare, That it shalbe lawfull for any of his Maiesties Subiects to disarme all Popish Recusants, and such as shall execute the illegall Commission of Array, or shalbe actors and assistants in any of the aforementioned oppressions and violences, or shall furnish any Horse, Armes, Money, or other aid or contribution for the maintenance of this unnaturall Warre raised by his Maiesty against his Parliament: and to seize upon their Horse, Armes, Money and other Provisions, whereby they might be inabled to disturb the Peace of the Kingdome.

Ordered to be forthwith printed & published,

Joh. Brown Cleric. Parliament.

FINIS.

Property of the
Library

4

The Christian Souldier.

OR,

PREPARATION FOR *BATTAILE.*

A Legend containing true Rules for a Souldier, in whom at once is met *Religion* and *Resolution.*

Published by a well-willer to the Gown and Sword, T. J.

To the Regiments on Foot.

You who doe List your selves in numerous swarmes,
Who think your Pikes and Muskets are safe charmes,
Observe these Rules, you shall be free from harmes,
And boldly give the word, — Stand to your Arms.

To the Chevaleires, (in English) the Horsemen.

A begger set on horseback rides apace,
But he that wisely mounts, sits in full grace:
Receive these few instructions, and you shall
Returne victoriously, —Monte Chevall.

Aug. 24

LONDON,
Printed for *Edward Christopher.* 1642.

The Christian Soldier:

OR,

PREPARATION

FOR

BRITISH MUSEUM

To all Gent. Souldiers, of what gradation ſoever, of Horſe or Foote, from the *Colonel* to the loweſt Muſquetier of the laſt Ranke and Foile.

Give the word for ſilence.

Noble Gent.

ALthough I am no Souldier, in that I never bore Armes; yet I am ſo exact an admirer of your glorious profeſſion, I could not but tender my ſervice to you in this rough Legend, in which I have endeavoured to picture a compleat Souldier; and ſcored out in chalke and coale a well-ſhewing coward, that the excellencie of the one may the more glorious appeare, by howmuch the other is ſordid (in condition I meane, though not in forme) and I doubt not but ſome unexperienced men (if they doe not want gratitude as much as knowledge) will give me thanks; if not, I ſhall acknowledge my ſelfe enough requited if theſe rules bee onely practiſed, and it ſhall hereafter encourage him that daily wiſhes peace and proſperity to his King and Country,

T. J.

The Christian Souldier:

OR,

Preparation for Battaile.

ARmes are altogether unlawfull, but where their onely necessary use is for the protection of *Religion*, defence against *Heresie*, maintenance of a *Kings Right*, in which consisteth the liberty of the Subject, and (by that consequence) the safety of a Kingdome: what ever is in opposition to this, must needs be illegall. I cannot find it from the Creation of the first *Adam*, to the Expiration and Ascension of the last, that ever any Nation had command to teach their King to rule; and hold it as unfit, as if the Sonne should enstruct the Parent, or the Scholar exhort his Schoolmaster. This being allowed, Civill-warre is altogether unlawfull, for they who have so little authority to enstruct, sure have lesse power to correct; let his life be as wicked as *Saul*, or as divine as *Solomon*; The unity betwixt a King and his people are as the Gordian knot twixt man and wife, (*for better for worse.*) Coronations and Marriages admit of no Conditions; to prove which, I have

(with

(with eaſe) collected from the many Texts of Scripture to this purpoſe theſe following few:

Prov.17.26. *To puniſh the juſt is not good, nor to ſtrike Princes for equity.*

Chap.40.31. *Againſt a King there is no riſing up.*

Ver.32. *If thou haſt done fooliſhly in lifting up thy ſelfe, lay thy hands on thy mouth.*

Chap.20.2. *The feare of a King is as the roring of a Lion: who ſo provoketh him to anger, ſinneth againſt his owne ſoule.*

Fellow ſouldiers, in this point you ſee there is no preparing for battaile, in reſpect it is unrighteous; and you can receive no conqueſt but miſery and deſtruction, as well of ſoule as of body, if you dare beleeve that eternall God that made you, who ſayes thus in the Pſalms of *David:*

Pſal.45.5. *Thy arrows are ſharp in the heart of the Kings enemies, whereby the people fall under thee.*

Pſal.89.23. *I will beat downe his foes before his face, and plague them that hate him.*

Pſal.132.18. *His enemies will I cloathe with ſhame, but upon himſelfe ſhall his crowne flouriſh.*

This is legible in the Bible, and (beleeve it) fellow-ſouldiers, our ſureſt way of fighting is by the Booke; it is not onely ſtore of coyne, high ſpirited horſe, good Ammunition, ſound skill, fierce reſolution, nor a ſtrong Arme, but a ſtrong Cauſe that makes a compleat ſouldier. There are three generall Poſtures belonging to the Muſket: *Make ready*, *Preſent*, and *Give fire*, which ought

The Christian Souldier:

OR,

Preparation for Battaile.

ARmes are altogether unlawfull, but where their onely necessary use is for the protection of *Religion*, defence against *Heresie*, maintenance of a *Kings Right*, in which consisteth the liberty of the Subject, and (by that consequence) the safety of a Kingdome: what ever is in opposition to this, must needs be illegall. I cannot find it from the Creation of the first *Adam*, to the Expiration and Ascension of the last, that ever any Nation had command to teach their King to rule; and hold it as unfit, as if the Sonne should enstruct the Parent, or the Scholar exhort his Schoolmaster. This being allowed, Civill-warre is altogether unlawfull, for they who have so little authority to enstruct, sure have lesse power to correct; let his life be as wicked as *Saul*, or as divine as *Solomon*; The unity betwixt a King and his people are as the Gordian knot twixt man and wife, (*for better for worse.*) Coronations and Marriages admit of no Conditions; to prove which, I have

(with

(with eaſe) collected from the many Texts of Scripture to this purpoſe theſe following few:

Prov.17.26. *To puniſh the juſt is not good, nor to ſtrike Princes for equity.*

Chap.40.31. *Againſt a King there is no riſing up.*

Ver.32. *If thou haſt done fooliſhly in lifting up thy ſelfe, lay thy hands on thy mouth.*

Chap.20.2. *The feare of a King is as the roring of a Lion: who ſo provoketh him to anger, ſinneth againſt his owne ſoule.*

Fellow ſouldiers, in this point you ſee there is no preparing for battaile, in reſpect it is unrighteous; and you can receive no conqueſt but miſery and deſtruction, as well of ſoule as of body, if you dare beleeve that eternall God that made you, who ſayes thus in the Pſalms of *David:*

Pſal.45.5. *Thy arrows are ſharp in the heart of the Kings enemies, whereby the people fall under thee.*

Pſal.89.23. *I will beat downe his foes before his face, and plague them that hate him.*

Pſal.132.18. *His enemies will I cloathe with ſhame, but upon himſelfe ſhall his crowne flouriſh.*

This is legible in the Bible, and (beleeve it) fellow-ſouldiers, our ſureſt way of fighting is by the Booke; it is not onely ſtore of coyne, high ſpirited horſe, good Ammunition, ſound skill, fierce reſolution, nor a ſtrong Arme, but a ſtrong Cauſe that makes a compleat ſouldier. There are three generall Poſtures belonging to the Musket: *Make ready*, *Preſent*, and *Give fire*, which ought

to be joyned with theſe moſt neceſſary conſide-rations:

Ere you *Make ready*, remember your Cauſe; when you *Preſent*, be not bloud-thirſty; and when you *Give fire*, conſider againſt whom. The field is a ſouldiers death-bed; and when he ſtands ſtou-teſt in expectation of a ful victory, he is but draw-ing on: were it not moſt expedient then that his laſt actions ſhould be his beſt? Every fellow is not a ſouldier that ſtruts, looks big, ſwears much, weares a broad blade, and takes Tobacco; a per-fect ſouldier is a perfect man, and ſhews moſt glo-rious in his civill valour: and ſuch a one can kill without cruelty, and gaine a conqueſt without ty-rannie: He holds it more victory to take one man priſoner, then put ten to the ſword: You ſhall heare him ſay, that none but cowards feare to ſee their foes living. A valiant man in the expreſſion of a battaile makes no noyſe, but diſcourſeth it with civill ſorrow; and when he comes to declare the conflict, (though of his enemies) he doth not glory in their confuſion, but ſayes, It is pity there ſhould be ſo much bloud ſhed. You are ſafer in his armes, then at his ſwords point. If you be his enemie, the onely meanes to protect your ſelfe is to weare no weapon, and that is the onely way to conquer him, for he is angry becauſe you goe without it.

Your Coward, whom neceſſity and vain-glory have drawn into the field, at his return from ſilly ſervice, in frighting language uther'd in with oathes, deſcribes how many townes they burnt,

how

how many women great with child were ſlaine, how many men blowne up at the ſpringing of a mine, how deſperately he returned their hand Granadoes into the enemies worke after the fire was given; that in a ſet battaile he was forced to march up to the knees in bloud, and ſtumble over carkaſes; when (poore ſcab) perhaps you might have found him aſleep in the greazie armes of his Sutlers wife, or drunke under the barrels; theſe are the men that cry aloud in Taverns *By the faith of a ſouldier*; draw their ſwords often, and ſweare it is that they get their living by; weare great Belts, and hats cut on the brim; great ſpurs, and uncompt haire, with a black taffety playſter croſſe the noſe. I would have a compleat Engliſh Chriſtian ſouldier obſerve ſuch ſots, to loathe them, and take theſe few inſtructions as true rules to fight by:

1. *To examine the cauſe,*

2. *(If his cauſe be juſt) to ſpend a little griefe he hath that cauſe.*

3. *To come on boly and cheerfully without deſire of bloud.*

4. *Not to make gaine, or vain-glory his onely object.*

5. *To be mercifull to a couchant enemie, and not to kill where he may ſave with his owne ſafety.*

6. *And laſtly, to aſcribe the honour of the conqueſt not due to his valour, but the all-providence of his Maker.*

If he can doe this, let him gird his ſword about hisloynes, and fight couragiouſly; *Jehovah* is his Generall.

I will conclude the reſt with theſe few lines, and leave them to your practice, whoſe lives and fortunes depend upon the ſword, drawne for an honeſt cauſe.

COme hither Souldier, if thou canſt obey
God and the King, doubt not to have the day.
If thou canſt ſweare 'tis for none other cauſe
Thou fighteſt but for Religion and the Laws,
Heaven protect thee; may thy dayes encreaſe,
He that doth juſtly fight makes way for peace.
If thou canſt ſave thy friend, and ſpare thy foe,
When thou art up, and he trod downe below;
If thou canſt grieve to ſpoile the plow-mans Village,
And make it not thy aime to fight for pillage;
If in the furious ſacking of a Towne
Thou canſt avoid to caſt their women downe
With their young new-born infants; if thou fly
From all baſe actions of red cruelty;
The Lord will ſure protect thee from all harmes,
And I my ſelfe will ſay, ——Stand to your Arms.

FINIS.



5

A TRVE RELATION

Of the lateſt

OCCURRENCES IN IRELAND.

Sent from the *Poſtmaſter* there, to a Freind of his in *LONDON.*

Dated in IRELAND, *Auguſt* 17. 1642.

LONDON,
Printed for *Benjamin Allen*, *Auguſt* 24. 1642.

A TRVE RELATION Of the laſt OCCVRRENCES FROM IRELAND.

VPon *Saturday* one captaine *Heurcike* came into this parts, who is imployed in the Kings ſervice, as he came hee tooke two boats of *Waxford* fiſhermen, in which 10. priſoners were, and brought them to *Dublin*, theſe doe confeſſe and affirme that there is 250 barrells of Gunpowder landed at *Waxford* for the Rebells, the night before a pacquet came from the Earle of *Clanricket*, to the ſtate of all the paſſages in *Connough* by Sea from *Galloway*, and as they ſay the Towne of *Galloway* is not quite in Rebellion, for the Earle of *Clanricket* doth keepe them in by

pleges, ſix of the beſt men in *Galloway* he takes and changes them every moneth for others, but I perceive by the Earles man, that he and they in the Fort doe not agree well, for the Governor of the fort doth pillage the *Iriſh* neere him, and theſe be the Earles tenants, and the Earle doth not take it well at his hands, becauſe he did relieve the fort with their diſtreſſe, and ſtill doth offer to ſupply them with all things, but it ſeemes the Governor of the fort doth not like it, ſo by that meanes the Fale hath ſent to informe the King of all buſineſſe; for now two of his men are going for *England*, one to the Court, the other to *London*, all this I was informed by the Earles men that come now hither, and are going for *England* in my Barque with this Pacquet, and they are my intimate friends.

That night newes came from Sir *Iredrick Hambleton*, that he with 500. men came to *Sligoe*, and by ſome meanes went into the town and got the word, and in the night his men compaſſed the towne and burnt it to the ground and above 150. rebells that were Souldiers in the towne, beſides ſome thirty *Engliſh* that were Priſoners with them, who he could not ſave, this is for a certaine.

Vpon

Vpon Munday we received Letters out of *England*, but little comfort in them, God knowes, I pray *God* mend it; alſo Captaine *Bartlet* came from Cheſter with 14500*li.* which is but little towards the payment of the Souldiers.

That afternoone Sir *Foulke Hunkes* came to towne with ſome pillage, and brought his Men all well, ſave his Lievtenant Collonell ſhot in the eye, and the bullet is there ſtill; it is thought he will ſcape it, but his eye is loſt, his name is *Tilliar*; alſo one Captaine *Turvile* is kil'd, both were ſhot at one time out of one peece, being neere together by a caſtle, before they had done any thing, the caſtle they tooke, but the Rogues run away God knowes how, but it is thought one company of ours is faulty, which ſhall be nameleſſe: two more caſtles they tooke, burnt one of them, in the other two they put Garriſons; in all their march they had no battell, for the Rebells run away, many of our men are ſick.

In the firſt caſtle they found not one in it, you may well thinke they had ſome notice of our mens coming; ſometimes the Rogues would come in the Reare, and knock one or

two of our men then run away; we heare nothing of sir *Francis Willoughbie* this weeke.

This weeke came a Letter from the rebells of *Killkeney* to the Earle of *Ormond*, where all the Lords of the paile are at Parliament, in which Letter was a Petition of their agrievances with all the Lords of the Pailes hands to it, what they do is to maintaine the Kings Prerogative, not mentioning Religion at all; they are now willing and contented to lay downe their Armes, if they may be let alone and pardoned for what is past, to prevent further mischiefe, and they desire the Earle of *Ormond* to send their Petition to the King with all speed, we heare that they have sent Sir *John Dongan* with their agrievances to the King already.

Our Parliament remaines still, and they are about puting in execution the Law against Recusants, and making the Rebells lands sure to the Adenvturers, this is all worth relating, for the present, time will tell more.

The

The true Copie of a Letter, ſent from Ireland, *Auguſt* 17. 1642.

VPon *Friday*, Sir *Iohn Seaton* came to town with about one hundred and eighty, men, women and children from *Furbuſh-Caſtle*, in the County of *Langford*, theſe had quarter from Collonell *Keley*, and ſome of the *Ferralls* who brought them ſafe within a mile of *Trim*, twenty miles hence, and gave them ſome of every thing they had, and did not ſuffer any of them to be abuſed by their ſouldiers.

Upon *Saturday* morning, newes came, that a ſhip with twentie peeces of Ordnance about ſixtie tun of *Dunkerke*, hath unloaded her ſelfe of Ammunition into *Sheep-haven*, and *Sloughſweley*, ten miles below *London-Derry*, and my Lord *Conway* and Sir *Robert Steward* is hard beſet with them; Generall *Leaſley* is going to aide them; ſince wee heare two *Scots*-boats are taken by the Rogues in ſome part in the North, and that there is ſome Pirates upon this Coaſt.

That day our Army tooke a Caſtle neere *Broghe-da*: My Lord-*More* and that part of our army that was

was forth, met the night before, upon Sunday Sir *Henry Tichborne* went with a part from *Dundalke*, unto them; and upon *Munday* tooke *Sidane* castle, killed, as we are certainly informed, five hundred, of the Rebells that were in the Castle.

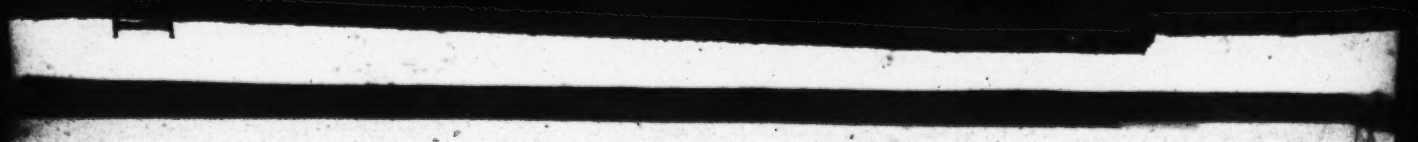
From thence they went to *Naban* castle three miles further, where the Lord *Germaston*, Lord *Slane*, Lord *Trimbleston*, Lord *Lowth* and Lord *Newterfield* is in it, as they say. We are not certaine of *Lowth* and *Newterfield* to be there, but the other three are there certainly; this we heard last night, and confirmed this morning: and this day went five hundred men out of this Towne unto them, Musqueteers most of them.

From Vaughon,

August 17. 1642.

BRITISH MUSEUM

FINIS.



6.

The True PROCEEDINGS Of the Severall COUNTIES OF YORKE COUENTRY PORTSMOVTH CORNEWALL.

With

An Abstract of a Letter, sent from one of the Earle of *Warwicks* Gentlemen, Concerning divers Weighty Matters, 22 *August* 1642.

LONDON

24 *August*. Printed for *Richard Best*, 1642.

Medical & Botanical Library

From *Yorke.*

Worthy Sir,

ALL our Forces are now gone from *Hull*, ſo that we are very quiet from the Cavaleeres, onely Sir *Tho. Gower* hath a large Commiſſion for the raiſing of 1000. Dragcones. Prince *Robert* is landed at *Hartlepoole*, and hath brought great ſtore of Ammunition, both for horſe and foot; moſt of our Countrey ſtands right being formerly ſo much preſſed. Divers Armes are taken away from thoſe that made the leaſt ſhew of love to the King and Parliament; our Trained bands being diſmiſſed, the King made this Declaration, thoſe that would aſſiſt him ſhould be well paid, the reſt were diſcharged of their Armes, ſo that our Countrey now is unfurniſhed, unleſſe it pleaſeth the Parliament by ſome meanes to relieve us, by putting ſuch men in truſt for the raiſing of force for the ſafeguard of the County, as may be confided in; by which meanes we ſhall ſtudy to keepe the County quiet, and ſave our ſelves from invaſions.

From *Coventry*, Auguſt 20. 1642.

THe King is this day come to *Stanley* to Sir *Thomas Lee*, and hath beleagured *Coventry*, the Citizens went all out and profered to render it to His Majeſty, ſo he would be pleaſed only to come attended with his ordinary Guard, but the Cavaleeres would not ſuffer the people to ſpeake of it, until ſhe they might all come in with His Majeſty. The Kings Army conſiſts not of above 1500, and moſt of them is Horſe, which the Countrey would not yeeld unto; ſo they hung out the bloody Flag, and ſtood upon their guard. The Kings Army hath beaten down the gate, but there are 2000. able fighting men within the Walls which are reſolved to ſtand it out to the laſt man, not doubting before that time to be relieved by the Parliament. I have tore you Letter for feare of being ſearched, hearing the Poſts Letters were opened in the comming to *London*, therefore I pray you tell your friends.

From *Portſmouth*.

COſin, here where we now are is a place of great ſorrow, men for their wives which are within *Portſmouth* town, and are abuſed by the Souldiers there, as it is reported; and women for their husbands becauſe they are abuſed likewiſe. Our greateſt harmo-

ny,

ny is the thundering of Canons, both day and night. We ride now in *Stoks-bay* by *Portſmouth*, and expect every howr the comming of our Army by Land, which as ſoon as they come, I beleeve we ſhal aſſault the Towne both by Land and Sea. Collonell *Goring* is within the Towne the chiefe man, but as we are credibly informed by thoſe which commonly runne out of the Towne every night by ſtealth, there are not above 200. Souldiers in the Towne, which is nothing to mannage ſo ſpacious a place, for within the towne they have above 100. Peeces mounted, and they want nothing but men. It was time for the ſhips to come, otherwiſe by this time they would have been provided of all, for now we ſtop all paſſages both by Land and Sea, ſo as they can neither have ayd nor proviſion. We are now ſeven ſaile of ſhips, all of great force, whereof one is a Scots-man, and on Tueſday laſt he tooke with his Long-boat one Captaine *Torney* Captaine of the Caſtle at the the Kewes, and the Lord of *Nemports* brother, and one Gentleman more which is kept on bord our ſhip, and Captain *Torney* is kept in the *Caſar*, and the Lord *Nemports* brother in the *Black James*, and as ſoone as theſe men were taken, the Seamen went and tooke the Caſtle, and put in an other Garriſon, theſe men are ſuppoſed to be aſſiſtants unto the Lord *Goring*; the Parliament at the Lord Admirals requeſt hath given all Sea-men a moneths pay extraordinary, Captain *Brone Buſhell* hath done ſome exploits, which at preſent I have not time to relate. This day in the morning our Troopers tooke two men and Horſes of the Lord *Gorings*, and kild two more, and came within Piſtoll ſhot to the Walls of the Towne, and

yet

yet came off againe without the losse of a man, although they shot divers Peeces from the Walls. I pray remember my kind love to M. *Arthur Hanton*, and so I rest,

Your ever obliged Cosin,

From on board the
Paragon, *Aug.* 18.
1642.

G. D.

From *Cornwall.*

Kind Sir,

WHat the generall suspition of the Kingdome, and our owne feares of *Cornewall* have beene, you are well inform'd of, and that now that suspition and those feares are in a good part over (because in our apprehensions wee can find no visible cause) Gods mercy to us must needs be the more advanced. Heathens themselves were wont to attribute that to a Divine power for which they saw no apparent reason. If wee consider the men whose indefatigable endeavours permitted them not so much as necessary refreshments, from the prosecution of their purposes, travelling night and day not by proxy, but in their owne persons to make Proselites, and on the other side the timorous obstinacy of the people with whom they were in this businesse to have to doe, who by a kinde of naturall indisposition were wont in other things rather to hazard the Penalty of a just, then the censure of an unjust command, as may bee confirm'd from the experience of sundry the last past yeares; againe if wee consider how the Gentry in the generality (I cannot imagine how seduced) had inroll'd themselves in the livery of white and greene, whose example

ample commonely swayes the Commonalty, and that it was now no more prevalent, where o shall wee ascribe it, save to the immediate worke of God, who takes the fooliſh things of this World thereby to confound the wiſe? I preſume I neede not runne over the particular paſſages of this weekes buſineſſe at *Bodwin*, how Sir *B. vill G.* after the firſt warrants under the hands of thirteene Commiſſioners for a muſter (hearing of the peoples backwardneſſe) about monday laſt gave out a ſecond, whereby hee injoynes them to appeare upon paine of death; nor how at laſt he came to the race Poſts upon *Bodwin-downe*, with 140. or 160. men, ſome of which he got out of *Devonſhi e*, and 80. were armed with his own proper Armes, very diſcernable for that the Pikes and Reſts are all painted with white and blew; nor how though he thought it but a ſmall credit after ſo many and large promiſes to march to the Towne with ſuch a number, yet he and his complices *Sl. Wr. Trev.* &c. were averſe from an agreement with the Committee, which moſt probably had never been effected if not in a manner conſtrained by the E. of *B.* the reſt for the moſt part being of more deſperate fortunes thought it more honourable to die in it, then deſiſt from the attempt. All thoſe, as alſo how at laſt propoſitions were agreed upon, and what they were, and divers other paſſages, ſhould I at large relate, I beleeve I ſhould but put you to a double reading, and therefore at preſent take leave and reſt,

Your aſſured loving Coſin,

19. *Aug.* 1642.

I. T.

From

From *Dover* and the Navy at Sea.

SIr, the buſineſſe here of much importance, is the ſecuring of *Dover* Caſtle to His Majeſty and the Parliament, which through Gods bleſſing is happily advanced; by the being of the Caſtle in a ſafe hand, and my Lord Admirals further aſſuring it, by putting in 40. able Sea-men, and ſome Amunition; whereby the ſpirit of that Towne, being for a great part ill diſpoſed, is pretty well alaid, and the better part content and encouraged.

From *France* we heare this day, that the French Forces ſent againſt the Spaniard about *Catelina*, are both by Sea and Land defeated, which will help the better to ballance thoſe two Princes, the exceſſive greatneſſe of either being dangerous for us, eſpecially as times ſtand, from him that is next us.

I heare likewiſe of divers veſſels now at *Nantz*, that are lading of Amunition for reliefe of the Iriſh rebels. The Hollanders have lately taken ſome Spaniſh frigots that ſtole out of Dunkerke, in hope to make an eſcape for *Portſmouth*. News is brought that they within the Town would deliver it up, if their lives might be ſecured, and that a generall attempt upon it is ſpeedily intended.

FINIS.

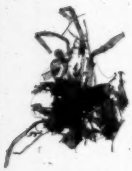
A DECLARATION OF THE Lords and Commons assembled in Parliament, for the disarming of all Popish Recusants, and that it shall be lawfull for any of His Majesties Subjects to seize upon the persons of all such as shall execute the illegall Commission of Array.

Ordered by the Lords and Commons in Parliament, that this Declaration thus amended be forth-with reprinted.

H. Elsyn. Cler. Parl. Dom. Com.

Together with a Declaration of the Lords and Commons in Parliament that all persons whatsoever, which shall assist his Majesty in this VVar with Horse, Arms, or Mony, shall be Traytors to his Majesty, the Parliament and Kingdom.

LONDON,
Printed by *A.N.* for *Ed. Husbands.* and *I. Franke*, and are to be sold at their Shops in the middle Temple, and the next doore to the Kings Head in Fleetstreet.
August 24. 1642.



A Declaration of the Lords and Commons

in PARLIAMENT.

With ſome Directions to the Knights, Gentlemen, and other Inhabitants of *Yorkſhire*, and the other Northerne Counties.

WE the Lords and Commons in Parliament aſſembled, have peruſed and ſeriouſly conſidered a Letter ſent from many of the principall Knights, Gentlemen, and other Inhabitants of the County of *Yorke*: directed to a worthy Knight of that County, being a Member of the Houſe of Commons, and intended for information of both Houſes of Parliament, concerning his Majeſties purpoſe of raiſing his Standard at *Nottingham*, the preſent

ſtate of the Northerne parts, and the growing miſchiefs, and miſeries like to over-whelme the whole Kingdome, by the great oppreſsions exerciſed upon his Majeſties Subjects there, and other unlawfull and dangerous councels, and proceedings of thoſe, who under pretence of his Majeſties Service, are laying the foundation of an Arbitrarie and Tyrannicall Government, or rather confuſion and diſſolution, not only in thoſe parts, but in the whole Kingdome: upon which and other informations and diſcoveries, wee thinke fit to publiſh and declare ſome few obſervations, whereby the good Subjects of this Kingdome may better diſcerne their own danger, and be ſtirred up with more eatneſtneſſe, to aſsiſt us in the Maintenance of Religion, and of the common Juſtice and Liberty of the Kingdome, which ſeems to be in no leſſe hazard, then if we had an Army of the *Iriſh* Rebels in the bowels of the Land.

The firſt Obſervation is this, that now it plainly appears to the World, that there was good ground of thoſe Feares and Jealouſies ſo often expreſſed by both Houſes. That His Majeſty intended to make War againſt his parliament: and that the many Oaths, proteſtation, and Execrations publiſhed in his Majeſties Name, diſclayming any ſuch purpoſe of War, were nothing but the deviſes of thoſe wicked Councellors about Him, that under ſuch diſguiſes and pretentions of Peace, they might more cloſely Arme and prepare themſelves for VVar, and by violence to ſuppreſſe the parliament, and ſo to make way for the accompliſhment of their owne deſignes for the alteration of Religion, and the Government of the Kingdom.

The

The ſecond, that this Warre is ſaid to bee for the Defence of the Proteſtant Religion, and yet the moſt diligent Aſſiſtants and Promoters of it are Papiſts, and that corrupt and ſuperſtitious part of the Clergy, that were running towards popery: wherein the papiſts are ſo fervent, that they not onely ſend in Horſe and Armes, but the better to qualifie their perſons for this preſent ſervice, many heretofore conſtant Recuſants doe now reſort to Church, and take the oaths of ſupremacy and alleagiance, and with what affections they looke upon the reformed Religion, is evident in the ſpeeches of thoſe, who robbed M. *Marwoods* houſe calling his wife proteſtant whore and puritane, who being a very vertuous Gentlewoman and of good quality, onely the hatred of Religion was it which provoked them to ſuch ignominious language, which by thoſe popiſh Cavalieres is proſecuted under the name of Round-head, as it hath beene by the prelaticall Clergy under the name of puritane.

A third that Armes are taken from the honeſt Gentlemen, Yeomen and Townſmen, and put into the hands of ſuch deſperate perſons as cannot live, but by rapine and ſpoyle.

A fourth, that not withſtanding all the vowes and proteſtations to governe by Law, which have beene diſperſed throughout the Kingdome to blind and deceive the people, The moſt miſchievous principles of tyranny are practiſed that ever were invented, that is to diſarme the middle ſort of people, who are the body of the Kingdome, and to maintaine Souldiers by forced contribution, to create a provinciall government in the North, cleerely againſt the common Law, and the

judgement given in this Parliament for taking away the Court at *Yorke*, That the contrivers and instruments of these mischiefes, for their better strengthening in these designes, are about to joyne themselves in an association with other Counties, That directions are given that such as shall oppose, or not joyne with them, shall bee violently plundered and pillaged.

For the prevention of these growing evils, and mischiefes the Lords and Commons doe declare.

That all well-affected and good Subjects, who shall be plundred, pillaged, and suffer in their estates by any of the Cavaliers or other Forces raised without consent of Parliament, shall have full reparation of their damages out of the estates of those who have beene actors, and counsellors in such violences, and likewise out of the estates of all such persons in any part of the Kingdome whatsoever, who have withdrawne themselves to *Yorke*, and shall persist to serve the King in this war against the Parliament, by any subscription, contribution, or otherwise have given assistance and countenance to the maintenance thereof.

That it shall be lawfull for any number of persons to joyne together, and to defend themselves and others from Rapine and Force: And the Earle of *Essex* Lord Generall of the forces raised by the Lords and Commons, for the defence of Religion and Libertie, and for protection of the oppressed Subjects of this Kingdome, and Lievtenant of the County of *Yorke*, is desired to grant such Commissions, for levying, leading, and conducting of forces in the Northerne parts, as shall bee thought requisite by his excellencie. And Sir *John Hotham* Governour of *Hull*, is required to give all kind of assistance,

aſsiſtance, by the Garriſon of the Towne, and by furniſhing them with ſuch powder, armes, and other Ammunition, as he can ſpare. And for the better enabling of them in this their neceſſary defence,

It is reſolved that further ſupplies of Armes ſhall be ſent thither as ſpeedily as may be.

That the Sheriffe of the County of *Yorke*, and the Sheriffes of the adjoyning Counties, and all Lievtenants, Deputy-Lievtenants, Majors, Juſtices of the Peace, and others his Majeſties Officers and loving Subjects, be ayding and aſsiſting to them in defence of his Majeſties Subjects from all Oppreſsion and Violence with the power of the Counties and Trayned Bands.

That it ſhall be lawfull for all Lord-Lievtenants, Deputy-Lievtenants, Sheriffs, Majors, Bailiffs, and head Officers of Corporations to diſarme all Popiſh Recuſants, and all other his Majeſties Subjects to be aſsiſting unto them, and that it ſhalbe lawful for any of his Majeſties ſubjects to ſeize upon the perſons of al ſuch as ſhall execute the Illegall Commiſſion of Array, or ſhall be Actors and aſsiſtants in any of the afore-mentioned oppreſsions and violences, or ſhall furniſh any Horſe, Armes, Money, or other Ayde or Contributions for the maintenance of this unnaturall Warre raiſed by His Majeſtie againſt His Parliament, and to ſeize upon their Horſes, Armes, Money, and other Proviſions, whereby they might be inabled to diſturbe the peace of the Kingdome.

FINIS.

A Declaration of the Lords, and Commons assembled in Parliament.

WHereas the King, ſeduced by wicked counſell, doth make War againſt His Parliament and People; And for the promoting of that Warre, divers Forces both of Horſe and Foot have been, and are levyed and raiſed by ſeverall perſons, and His Majeſties good Subjects are moſt cruelly robbed, ſpoiled, and ſlain:

To the end that no man may bee miſled through Ignorance, the Lords and Commons in Parliament declare, That all ſuch perſons as ſhall, upon any pretence whatſoever, aſſiſt His Majeſty in this Warre, with Horſe, Armes, Plate or Money, are Traytors to His Majeſty, the Parliament and the Kingdom, and ſhall be brought to condigne puniſhment for ſo high an offence.

Ordered by the Lords and Commons in Parliament, That this Declaration bee forthwith printed and publiſhed.

Hen Elſinge, Cler. Parl. D. Com.

d

cked
His
ting
and
ſe-
ects

lled
in
all,
aje-
or
ia-
to

ent,
and

Com.

Arthur Browne 8.

A Seminary Priest,

His

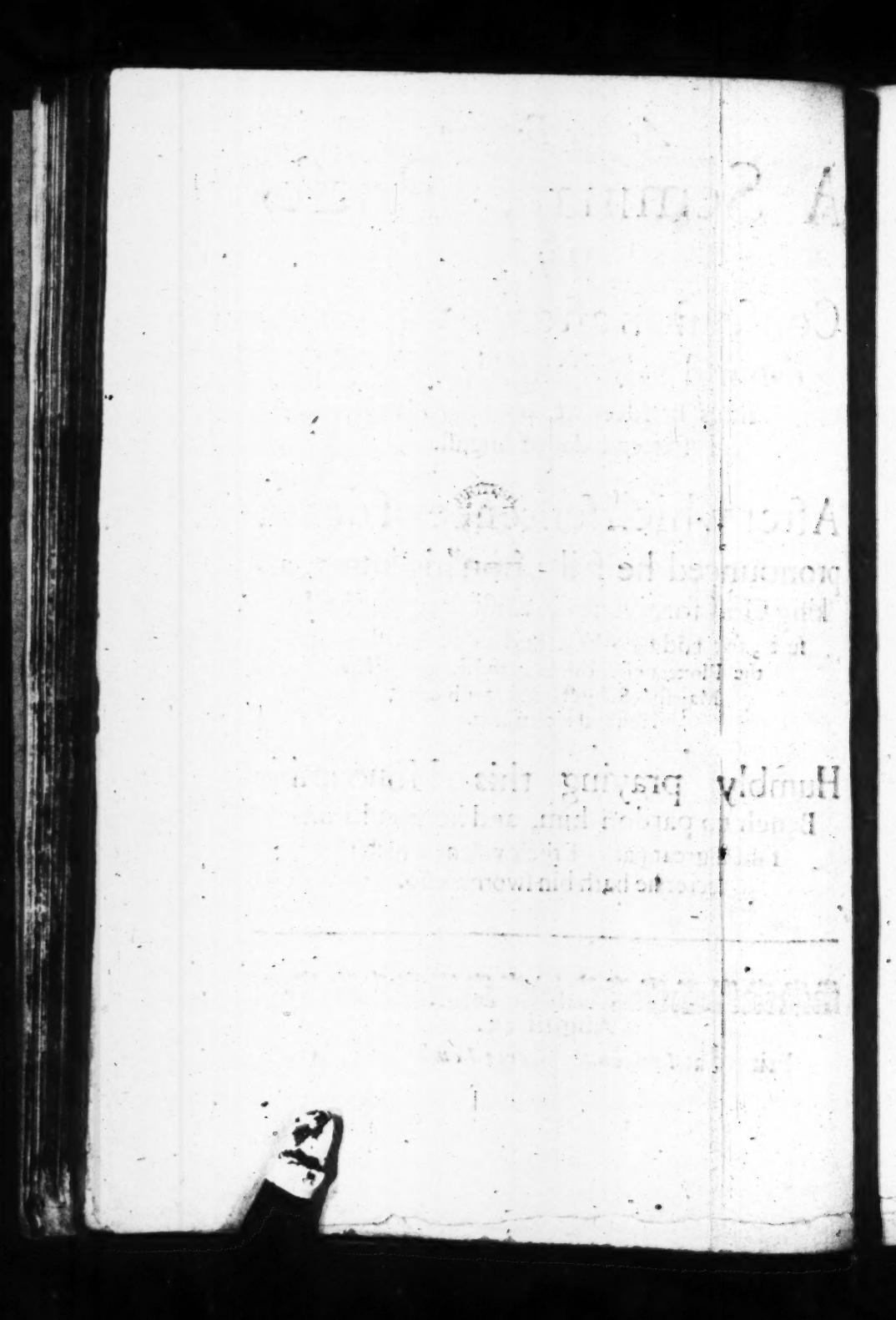
Confession after he was Condemned to be hanged, at the Assizes holden at *Dorchester* the sixteenth day of August.

After which sentence of death pronounced he fell upon his knees, asking God forgiveneſſe, rayling upon the Iesuits, for ſaid he, they, and none but they are the Plotters of miſchiefes, and ſeducers of His Majeſties Subjects, and have brought Him to this confuſion.

Humbly praying this Honourable Bench to pardon him, and he would unfold a great part of their villany which in ſecret he hath bin ſworne unto.

August 25.

Printed at *London* for *George Tomlinſon.* 1642.



Arthur Browne a Seminary Prieſt his Confeſſion, after he was condemned to be Hanged at the Aſſizes holden at *Dorcheſter* the 12. day of Auguſt, after which Sentence of death pronounced, &c.

MY Lord, and this honourable Bench, I am here condemned to dye for a ſeducer of his Majeſties Subjects. True it is, my actions deſerve no leſſe, for I have bin carried, and have miſled others contrary to my conſcience for lucre of reſpect and ſervice far beyond my deſerts.

Now my Lord, and the reſt of this Honourable Bench, I have bin in thoſe Weſterne parts ever ſince the Rebellion in Ireland firſt ſprung up, and privately hid in Catholick houſes, being ſent by command from the whole company of Ieſuites in the Univerſity of St. *Thomas* in *Flaunders*, for my owne part I never affected the Romiſh Religion, but having bin ſworne to ſecreſie, and ſo many watches over my carriage, I could not invent without great danger or hazard of my life to leave thoſe Popiſh projects, which God hath ſince brought to light.

May it pleaſe this Honourable Bench, there is not ſuch

diligent ſearch in this Kingdome as ought to be, nay there is not one County in this Kingdome according to the number of Papiſts in that County, but they have of all Orders to ſerve them according to their abilities; Ieſuits, Friars and Seminaries, two ſometimes in one Papiſts houſe by turne to read Maſſe.

There is too too many in all Shires more like Knights in habit, and ſwaggerers in their carriage to avoyd ſuſpition, than bald-pated Prieſts and Ieſuits, and theſe are the onely Cavaliers of the times, and the cauſers of theſe preſent diſtempers, and diviſions in the Kingdome; and if you ſhall find the thoughts of theſe Popiſh Projectors, full of horrid conſpiracies and treacheries, their mouthes of falſhoods and lyes, their hands defiled with bloud, and all their pates tracked with Rebellion: wonder not at it, for 'tis no new thing, and he muſt needs be a ſtranger in the world that cannot produce multitudes of the like preſidents before, nay they are ſo barbarous as all Heathen Turkiſh ſtory is to ſeek for.

Here is a great motive that ſtir them to be paineful in their callings, for could they bring the Kingdome under ſubjection of the Pope, as in Queen *Maries* dayes, they would be in the way of being a Cardinall, if not a Pope, and if a man ſhould aſke them the reaſon of their conſpiracie, they will tell you they hope to ſee the King and Q. have the ſame priviledges & prerogatives as their predeceſſors before them, a falſe ſuggeſtion of the divell, it is rather to root out the Proteſtant Religion and bring in popery, and great reaſon they have to ſeeke it, they have for theſe many yeares laid dormant, and as I may compare them to a hive of Bees, which if a man trouble they will fly about to ſting him, it is ſo with them, the Parliament

ment doth daily search out their habitations, and follows them so close too and fro, that they have not a place to rest in, but wander up and down like pilgrimes every where, and now is their time of prey in seeking to set his Majestie and Kingdome at variance.

There is another motive which moves them to sow sedition amongst us, for in Queen *Maries* days the government of the Kingdome was wholie in their hands, disarmed the Protestants, and made them uncapable of any Office or place of trust or profit to the great and extraordinary decay of the Protestants in their estates, education and learning, and in the said Queenes Reigne, the Protestants were not allowed to have any armes or ammunition as papists, but stood like dead men not able to defend themselves in such desperate dangers. But God whose usuall time is then to helpe, when all other help and hope faileth, releeved us with the safe comming of a vertuous Princesse Queene *Elizabeth* whose courage and valour the world adores, whose vertue and piety her Subjects honoured and at her last dayes governed her people in a most happy and peaceable union one to another.

The impudency of the Papists & their religion is to be wondred at, yea their bold assertions and presumptuous hopes in matters of religion is unsufferable which I will not now run so farre out of the way as to relate it but in briefe thus.

First they weare the picture of our Saviour about their necks, and the measure of the wound of the side of our Lord Jesus (and say they) it hath such a vertue that no fire water, knife or sword can destroy them, nay the divell cannot hurt them.

Secondly, if they carry this picture or measure of the wound about them, it hath an especiall power against the divel, for they are forced to fly out of the bodies of men, and whosoever carrieth this grain about him, needes not to feare any evil & it hath a most powerful ver ue against wilde fire (fit to be used in these times) against the tempest of the Sea, and against all manner of infirmities incident to the soule and body of man, and especially against the feaver, pestilence, the temptation of the divell, and of heresies, and they have the vertue of the *Agnus Dei.*

Thirdly, Pope *Adrian* the 3d did give such vertue unto this grain, that when you shall say your Pater-Noster, you shall redeem a soule out of purgatory, and when you confesse and repent your sins on the Sunday, you obtaine forgivenesse of all your unperformed oathes, and if upon Wednesday, Friday and Satterday, that then you get remission of all your sins, or the sins of any other you pray for. This graine yee see is good for all diseases, preserves us from all manner of evill, especially from the temptation of the Divell, but yet not their feet from being so swift to shed innocent blood, their hands from theft, their tongues from lying and such like, which are neer enough a kin to the Divell.

Thus you may see this graine is the next dore to Hell, absolves you from perjury, and if you have any part or parcell of those graines about you, you cannot miscary divers other wicked practises, as whoring, committing of rapes, and such other lacivious nes, wch I omit to relate, being unfit for any chaste eare to be defiled with, and yet all their designs forsooth pretends under the cloak of holinesse and religion, which God grant in his goodnesse to

prosper

proſper all his Majeſties and Parliaments deſignes, for the reducing of this and other his Majeſties Kingdomes to due obedience refining and enlarging of our Church and the returning to a more ſetled peace to this Kingdome of *England*, for which to him onely be raiſed a monument of everlaſting prayſe, and thankſgiving from us and ours, from one generation to another.

The Iudge after his Confeſſion asked what Papiſts howſe he moſt frequented in this Countie or other, who anſwered and nominated about 15. or 16.

Mr. *Gouge.* Mr. *Winter*
Mr. *Ford* Mr. *Wray, &c.*
Sir. *Saintleger.*

The Iudge gave order for his reprieve till the next Goale delivery.

FINIS.

9

TO THE RIGHT HONOVRABLE The LORDS assembled in *PARLIAMENT.*

The humble

REMONSTRANCE

OF

The Iustices, Gentry, Ministers, and Constables assembled in the State and Common Councell of the Island of

JERZEY.

Jersey

Published to manifest the untruth of a scandalous paper malitiously printed and spred abroad against Sir *Philip Carteret.*

LONDON,
Printed for *William Pope*, and are to be sold at his shop neere Essex House, 1642. Aug. 25

Aug 27

TO THE RIGHT HONOVRABE, THE LORDS assembled in PARLIAMENT:

The humble Remonſtrance of Juſtices, Gentry, Miniſters and Conſtables aſſembled in the State and Common Councell of the Iſland of Ierzey.

WHereas wee have beene informed, that a certaine paper and Remonſtrance hath been preſented unto your Lordſhips, that Sir *Philip Carteret* Knight, Lievtenant Governour

vernour and Bailiffe of this Iſland, hath with-drawne from him the affections of the inhabitants of this Iſland, by his violent carriage, and conſiderable oppreſſions in the execution of three incompatible offices, breaking the priviledges and Lawes in ſuch manner, as in the memory of man hath not been knowne, the Deſignes of the ſaid Sir *Philip Carteret* being to continue in the office of Lievtenant, to the great griefe and prejudice of the ſaid inhabitants; there being other Articles pretended to have been delivered to a Committee of the Honorable Houſe of Commons: Therefore wee beleeving that it is our duty to teſtifie the truth of this matter, is, to the end our ſilence, and the abuſe which may be made of our names, may not bee imputed to a ſilent conſent, the more in regard wee acknowledge how greatly it doth import us to preſerve the perſon and ſervice which the ſaid Sir *Philip Car-*

tere

teret hath done, and doth doe to his Majeſty, and all this State, which doth binde us in all due humility, to repreſent unto your Lordſhips, that the ſaid imputations are neither of our knowledge, will or conſent, but calumnious, and contrived by thoſe which for their intereſt doe ſeeke to trouble the good and quiet of this State; and we doe diſavow them, they being ſo farre from all truth, that to the contrary in the charge or place which the ſaid Sir *Philip* hath borne theſe many yeares in this State, hee hath behaved himſelfe with that meekneſſe and gentleneſſe that hath preſerved unto us our publicke peace, and by his meanes hath from time to time ſuppreſſed many great particular diſorders and contentions amongſt us: and in all his Offices or places, wee have not knowne any thing but the adminiſtration of his good Iuſtice indifferently unto every one, for which wee and all the people

have occasion to pray to God for him: The oppressions which may be imputed unto him we doe not know to be other then his continuall care to keepe the poore from oppression, protect the Ministers of Gods word, and preserve Merchants in their liberty of Trade, not onely in this Island and other his Majesties Dominions, but also in forraine Countries, where his reputation doth cause them to enjoy many favours, and satisfaction to bee given them for such injuries as they may there sustaine, as well by sea as land, whereof wee have many examples; contrary to that which some would impute unto him of breaking the priviledges. VVe doe acknowledge those many immunities which hee hath obtained for us, and which wee doe enjoy, which wee had not in time past. And against the breach of lawes, wee doe acknowledge the establishing of many good lawes and orders which

he

he hath procured for the government and policie of the Countrey. To conclude, his returne to this Iſland to his charge and offices, wee know to bee the only griefe and prejudice of ſuch as doe envy him: but to the exceeding great content of us and all the people, for which wee doe render to his Majeſtie and your Lordſhips moſt humble thankes, beſeeching that hee may bee continued amongſt us, and that the diſturbers of our peace may be puniſhed, and that it would pleaſe your Lordſhips to pardon this our boldneſſe, praying God inceſſantly for his Majeſties proſperity, and alſo for your Lordſhips.

FINIS.

THE KINGS MAIESTIES ALARUM For OPEN WAR,

Declared by His setting up His Standard at *Dunsmore-Heath.*

ALSO

His affront at the City of *Coventry*, by denying Him entrance into the City, and His Resolution thereupon, to plant Ordnance against it, and batter down the City, and all other Cities and Townes that shall deny His admittance.

AND

His command to all His subiects on the North side of *Trent*, or 20. miles Southward thereof, to attend His Person on the 24. of this moneth His Maiesties Army already consisting of 11000. Foot, and 6000. Horse, with 46. pieces of Ordnance.

Joh. Brown, Cler. Parl.

Printed for *Tho. Richards. August* 25. 1642.

THE KINGS MAJESTIES ALARUM To open Warre,

Declared by his setting up his Standard at *Dunsmore-Heath.*

IT doth now most evidently appear what were the intents of the malignant party when they carried the King from the Parliament to *York*, and there possest him with a hatred of it, as his Maiesties Declarations have in bitter words upon all occasions testified; inveighing against all the proceedings of Parliament, drawing away the Members, commanding them to come to *York*, and instead of discharging their duty and consciences in the service of the Parliament, to contribute their advice and assistance to the

destruction of it, endeavouring to possesse the people, that the Parliament would take away the Law, and introduce an Arbitrary Government, and hereupon men were levied by the counsell of the Malignant Party of the Kingdom, and an Army raised to ruine the Parliament, then through the instigation of these malignants the King besieged *Hull*, and afterward issued out the illegall Commission of Array, which having been endeavoured to be put in execution, hath bred all the uproares and disturbances in most of the Counties of this Kingdome: and the Kings Majesty being opposed therein by those who with constant affections do stand for the Parliament and the Priviledges of the Subiect, is provoked and incensed unto such high indignation, as also by his affront received from Sir *John Hotham* by denying him entrance into *Hull*, that he is resolved to turne this land, which was a Canaan, flowing with milk and honey, into a red sea of blood and destruction, to make his subiects turn the edge of the sword one against the other, one friend to slaughter another, and such a bloudy confusion by a civill warre in *England*, as there hath been formerly by the bloudy rebellion in *Ireland*: for how can it be otherwise, when the King by the advise of his malignant counsellours doth raise an army against his great Counsell of the Parliament, and doth

constraine

constraine and inforce many of his loving Subiects by compulsion and violence to yeeld to the illegall Commission of Array: and now having brought matters to a ripenesse, that the harvest of contention and dissention may be reaped by the bloudy sickles of swords, His Majesty out of the high indignation of his supposed injuries, being full and confident in his owne cause, hath with eleven thousand men strongly besieged the City of *Coventry*, and environed them so strongly, that there is no way possible for them to escape, unlesse that they betimes allay the indignation of the Kings designes, which are hitherto so violent, that he intends to make their City the object of the thundring Canon, and that their houses shall be beaten downe about their eares for their opposing of his Majesty, in refusing to give him admittance into their City. With these and such like comminations and threatnings the people are much disheartened and affrighted, and to increase their feares, together with the whole Kingdomes, the Kings Majesty hath commanded all his subiects on the North side of Trent, and all places adioyning within twenty miles Southward thereof, on the obligation of their allegiance, to attend his Royall Person upon Munday being the two and twentieth day of this moneth of *August*, at *Dunsmore-Heath*, where his Majesty intends

to

to erect his Standard Royall, being a great Colours or Enſigne richly [illegible]d with the Kings Armes and Motto therein diſplayed. His Majeſties Army Royall makes a great, daring, and illuſtrious ſhow, conſiſting of eleven thouſand Foot, and ſix thouſand Horſe, all in complete Armour: and moreover he hath ſix and forty peeces of Ordnance. Thus being ſtored of Ammunition, and backed by his evil Counſellours and Papiſts, he intends to make an expatiating diffuſive warre, not fixing upon a maine Battalio, but to beſiege and batter down Cities and Townes that will not reſigne up themſelves upon ſummons: ſo that his Maieſty is fully reſolved to trie out the cauſe betwixt his Parliament and Himſelfe by the Sword. Theſe matters therefore being of high conſequence, and conſiderable in the minds of all true ſubiects, let them take courage, and ſhew their reſolutions now to oppoſe the malignity of evill Counſellours, to defend the King and Parliament, and to relieve the diſtreſſed city of *Coventry*.

The City of *Chicheſter* ſtands now in a good poſture of defence, and have declared their Reſolution to the Parliament, being reſolved to adventure both their lives and fortunes for the defence and maintenance of the true Proteſtant Religion, the Lawes of the Land, the Priviledges of Parliament, and Liberty of the Subiect.

ject, againſt any that ſhall oppoſe it: yet ſome ill-affected perſons have plotted to betray the Towne, and ſome Miniſters have made ſeditious Sermons to that purpoſe. For the prevention of theſe and other diſorders, and to prevent the danger that may ariſe by the malignity of the Popiſh party, The Lords and Commons do declare, That it ſhall be lawfull for any of his Maieſties Subiects to diſarme all Popiſh Recuſants, and ſuch as ſhall execute the illegall Commiſsion of Array, or ſhall be actors and aſsiſtants in any of the aforementioned oppreſsions and violences, or ſhall furniſh any Horſe, Armes, Money, or other aid or contribution for the maintenance of this unnaturall Warre raiſed by his Maieſty againſt his Parliament: and to ſeize upon their Horſes, Armes, Money and other Proviſions, whereby they might be inabled to diſturb the Peace of the Kingdome.

Ordered to be forthwith printed & publiſhed,

Joh. Brown Cleric. Parliament.

FINIS.


C
R
C
R

11

The wiſhing Common-wealths men:

OR,

A queint Dialogue betwixt

CAUTIOUS a Country-man,

AND

WISH-WELL a Citizen.

Both meeting in *Moore-Fields*, in the *Uſurers Walk*.

A Diſcourſe mixt with Merriment and ſolidity, and is indeed the common Town-talk.



Aug. 25.

Printed in the yeare of *Drums*, *Trumpets*, *Pikes*, and *Muskets*. 1642.

BRITISH MUSEUM

The Speakers, *Cautious* and *Wiſhwell.*

Caut. MAſter *Wiſhwell?*

Wiſh. Maſter *Cautious?* Welcome to London; what is the cauſe of your arrivall here in this time of diſtraction?

Caut. Why faith this time of diſtraction hath brought me hither; and I think the very ſame cauſe will ſend me back again; there is ſuch a quarter in the countrey crying to Armes, that it hath made me betake me to my legs, and now I thinke (like the over-haſty Fox) I have run out of one gin, and leapt into another.

Wiſh. Doe not ſay ſo Maiſter *Cautious*, you are ſecure enough here if you be not too free in the way of cenſure, (that muſt bee alwaes provided) you muſt not talke of buſineſſe that concerneth the State, it is ſick, and will not at this time admit of any diſturbance; if you ſecure your tongue, you protect your perſon, you muſt meddle with none but your own employment.

Caut. Imployment? I would I had it; I am afraid this want of imployment will make mee ſpeake any thing, God bleſſe mee from treaſon and I care not, becauſe of the unluckie fortune that followeth it; but (to ſay truth) a man doth not know what is treaſon now adayes; Is it trea-

ſon to call a man *Round-head?*

Wiſh. No no.

Caut. No ſay you? what a pox iſt then? I am ſure 'tis almoſt as bad, I did but call a fellow *Round-head* in the way of familiarity here in the Artilery garden, and I thought I ſhould have had my braines beat out, I could not finde any mans hands but about my eares.

Wiſh. I tell you you muſt not talke.

Caut. Talke, a pox talke it, I meant no hurt, before the word *Round-head* was quite out of mouth a long eard fellow in tauny ſtockings and braſſe buttons upon his doublet gave me the damnableſt blow on the Chops, then in came all the reſt upon me and beat me without examining of the cauſe, as if they had beene bound to ſtrike, becauſe he led the way.

Wiſh. Faith M. *Cautious* tis a mad world, I could wiſh it better.

Caut. Wiſh it, quoth he? Faith ſo could I, and now you talke of wiſhing I'le wiſh with you, and he that wiſheth beſt ſhall win the wager of a quart of wine, to be drunke at the Popes head.

Wiſh. A match, who begins?

Caut. No matter who, he thats readieſt.

Firſt of all, I could wiſh to be a knave in office.

Wiſh. A very good wiſh at firſt daſh, but why a knave in office?

Cau. He ſits ſecure, unqueſtioned, undiſcerned, when your poore knave is found out preſently; not that he is knaviſh, but becauſe he is poore.

Wiſh. A very good reaſon. Now (ſetting your

knave

knave aſide) I would I were a Juſtice of Peace, ſo I may dare exactly to execute my office without being confined and limited.

Caut. What then?

Wiſh. It is for an honeſt cauſe I wiſh it, I would onely ſee the Kings peace a little better kept then tis yet; but I would not be a Mayor for a thing that I know.

Caut. What is that?

Wiſh. Leſt in theſe hard times my gold chaine goe to wrack, and perhaps be morgaged my ſelfe (too.)

Caut. You have very well ſatisfied me, what you would and you would not be; now Ile tell you what I would not.

Wiſh. What would you not?

Caut. I would not be a piece of Plate, becauſe I am loth to change my old faſhion.

Wiſh. Is that all your reaſon? you ſhall reform and refine your faſhion, and have the Kings figure fixt upon you.

Caut. But it may be againſt the Kings will, and then I had rather goe without it.

Wiſh. Well, would I were in *Turkey*.

Caut. How ſhould I come by my quart of wine then?

Wiſh. It is not yet loſt Sir.

Caut. Right; but why in *Turkey*?

Wiſh. Becauſe they ſay it is a cuſtome there for the people to obey their King.

Caut. There's a fooliſh reaſon; ſo they do here; well of all things me thinks Ide not be a ſoldier.

Wish. Not a Soldat? why prethee?

Caut. Because I have so dull a brain, I shall nere be capable to understand what I must fight for.

Wish. No? then Ile tell you, for (the souldiers Religion) *Money* and *Honor*.

Caut. Honour? on which side? would I were a Scholar.

Wish. Thats a vain wish, thou wilt be better excepted for a Cobler in this age, would I were a Poet.

Caut. What then? this age would not endure to let you use the scourge, and take the priviledge of *Satyr*, were you as good as *Persius*, *Flaccus*, or *Ariosto*; if you fall a whipping, its ten to one but you are whipt agen.

Wish. And ten to one is odds. Nay I would lash none but the Cavaliers, and they say at a distance one may speak or write any thing against them, or any of their faction.

Caut. Wel, now I have been further informed of them, I would I were a *Roundhead*.

Wish. So thou art.

Caut. You lye.

Wish. I am sure thou art as unmannerly. Well, suppose thou wert a Round-head, what wouldst thou benefit by that?

Caut. I should quit my country ploughing, and fall to private preaching.

Wish. Why is there any benefit belonging to the tub?

Caut. Oh! much, there was a beloved sister in this City, they say, that in one yearwasted her husband

no

no leſſe then forty pound in tub-lectures, how ſhould the handicraft-prelate be maintained elſe? or the inſpired apron-prieſt feed on pullets?

Wiſh. Well, I have reſerv'd one wiſh ſhall make you confeſſe I have won your quart of wine, and ſo we'le goe and drinke it.

Caut. Let me heare it and take it.

Wiſh. Then I would I were a King.

Caut. a King, of what Country?

Wiſh. No matter, any Countrey, *Vtopia.*

Caut. I marry, this is a glorious wiſh, but how would you behave your ſelfe?

Wiſh. Thus, obſerve me well.

Caut. I do, now for my quart.

Wiſh. I would eſtabliſh all the good old Laws, and (to ſuppreſſe all late invented and daily acted crimes) I would enact new Edicts, & chooſe ſuch for Magiſtrates, as ſhould obſerve the execution of theſe Laws upon delinquents, without connivence, or falſe-bought mercy purchaſed with a bribe. I would not have a Juſtice of Peace in a Taverne, when he ſhould by his Commiſſion be at home always in readineſſe to keep the peace of the King and Subject. I would not ſet greater taxations on the people then were neceſſary for them and the Kingdoms ſafety. I would avoid that common danger, (too much familiarity) leſt that (in time) my love made me contemptible. My hand ſhould nere be empty, yet alwayes open to the ſcholar and the ſouldier, as the two pillars of a free State, and a faire flouriſhing Empire; I would ſuppreſſe all factions, as well the one as the other.

The

The Miniſtery ſhould be held ſacred, ſo that ignorance might not gaine the upper hand: The Souldier ſhould have ſuch maintenance that hee ſhould not account onely want of money, the juſtice of his cauſe to make him fight with or againſt his conſcience.

I would allow the liberty of the Subject to a tittle, and not intringe the leaſt article of it.

In returne of which I would maintain my own prerogative (if I could) untoucht: nor ſhould the well eſtabliſhed acts of my great predeceſſors be abrogated: when Statutes are violate, a Kingdome ſoon doth ruinate; *No Law, no life: no Government no ſafety.*: And (ſince a Crowne is filled with many cares) I could not thinke it a breach of royalty or Monarchall government to take ſome royall recreations, which no bold man (that makes the pulpit his Sanctuary for malice) ſhould with his holy envie check me for, if withall my love and royall uſage I could not reduce them to Chriſtian obedience, but that they would contemne me——I would——

Caut. What would you?

Wiſh. Hark you: when I am a King I'le tel you.

Caut. Wel wel lead the way, Ile know the reſt hereafter; I acknowledge my quart & thou ſhalt.

Wiſh. *Let's in the Tavern run ore heads and ſholders.*

Ca. *Wiſhers and woulders were nere good houſeholders.*

FINIS.

12

INTELLIGENCE FROM YORKE:

RELATING

THE VNLAWFVLL PROCEEDINGS OF The Malignant party there:

WITH

SOME OF THEIR

PROPOSITIONS:



August, 25. printed for H. Blunden. 1642.

INTELLIGENCE
FROM
YORK:
RELATING
THE VINDICATIVE
PROCEEDINGS OF
The Malignant party there:
WITH
SOME OF THEIR
PROPOSITIONS

August 25. printed for R. B. 1642.

INTELLIGENCE FROM YORKE.

SIR,

OUR feares in the North increase as much as yours in the South, nay, more; you have a considerable strength, an Army of Horse, as well as of Foote to flie to for protection: We have neither; but on the contrary, those that oppose the Parliament, doe begin to pull of their vizard, which had all this while, written in its forehead; *A Guard for his Majesties person*. And doe begin to make that Guard an Army, now that his Majesty is removed, and that pretence taken away, and whereas they pretended all this while to maintaine the *Known Lawes of the Land*, doe now exercise that tyrannie which there is no Law: As; to impose upon the Country, to raise the Summe of nine thousand pounds, or thereabours; to compell them to maintaine a certain number of Horse, and

Foote at their owne charge, and such as shall refuse, to be severely proceeded against before the Commissioners of Oyer and Terminer; which they have supplicated his Majesty to leave behinde him at *Yorke*: which will prove to this County as bad as the Star-Chamber, or High-Commission, and though divers of these persons, most forward in this action, gave their Votes in Parliament to take away the Court at *Yorke*, under which they so long groaned, endeavour now to settle a Court by Commission of Oyer and Terminer, more Arbitrary then the former: Since these men doe intend by force to settle such a power as this, to over-awe this County; We expect that the Parliament, and Kingdome help us to breake the neck of this designe in its infancy, it being intended to be put in execution throughout the Kingdome, and so the Malignant party shall have power by a Commission of Oyer and Terminer, under the great Seale, to call before them all such persons as shall refuse to finde Horse, Armes, or Money, to comply with their Propositions, they shall be disarmed, their monies taken from them, and the persons of the most considerable men to be secured: Witnesse the Commitment of Master *Stapleton* in Yorkshire, and Captaine *Lifter* in Lincolnshire, and that this their project may not faile, the Forces of Horse and Foote they have prepared, shall compell obedience, and so all the true hearted Protestants shall be left destitute of help, and imprisoned, as men disaffected

disaffected to the King because they are disaffected to their wayes.

The like Commission and Force is setled in Lincolnshire, and those are to be in the Commission of Oyer and Terminer, that are Commissioners of Array: In Yorkshire they have added Sir *William Belt*, and Sir *Tho: Harrison*, two Lawyers, who affirme they know no Known Law that will warrant such courses, which so much betrayes the Liberty and Property of the Subject, as these doe.

The substance of the Propositions agreed unto by a packt Graund-Jury for the purpose, (witnesse Sir *Robert Heath*) *Robert Hillyard* (the grand Delinquent to both Houses of Parliament) being foreman of this Jury, were to this effect, *viz.*

1. THat on the 24. of August, *All those of this County that are charged with Horse, doe appeare at* Yorke, *and the Defaulters to be severely proceeded against by the Commiss. of* Oyer *and* Terminer.

2. *That they shall maintaine their Horses for one Moneth, from that day.*

3. *That the Earle of* Cumberland *shall have under him Sir* Thomas Glemon, *and two Cavaliers more to mannage the affaires of War.*

4. *That a Commission of* Oyer *and* Terminer *bee setled at* Yorke, *directed to the Commissioners of* Array, *with two, or foure Lawyers more to be added.*

 5. That

5. *That the Earle of* Cumberland *remaine Generall here, and have a large Commission, and keep his Troope.*

6. *That his Majesty will send some field pieces.*

7. *That the King will freely give the Wardship of the Sons of those slaine in this War, on his Majesties Party.*

8. *That the Sheriffe be required to deliver the Countries Magazine to the Earle of* Cumberland.

9. *That his Majesty at setting up of his Standard at* Nottingham, *will dispense with the attendance of the Gentry of* Yorke, *that have listed themselves to serve under his Majesty.*

THese were in substance delivered in the name of divers of the Inhabitants of this County (though by thousands disclaimed) who propounded 8672. li. to be a Summe fit to be presently raised, with this Preamble; That the King was driven from his Parliament: That many Members of both Houses, persons of reall Fortune, have withdrawne themselves from the Parliament, petitioned for redresse, and one of their Messengers imprisoned, and therefore doe now seek to his Majesty for protection.

The

To these nine Propositions his Majesty condescended, saving the leaving of piece of Ordnance at Yorke, *of which he would consider, and concludeth, that since the Gentlemen of* Yorkshire *are resolved not to desert his Majesty, hee will either protect them, or perish with them.*

FINIS.

To these mine Propositions his Ma-
jesty condescended, leaving the learning
of piece of Ordnance at Yorke, of
which he would conclude, and conclu-
deth, that since the Gentlemen of
Yorkshire are resolved not to defert
his Majesty, hee will either protect
them, or perish with them.

FINIS.

A 13

RELATION
OF THE RARE
exployts of the London Soul-
diers, and Gentlemen Prentizes,
lately gone out of the Citie for
the Desiignes of the

KING
AND
PARLIAMENT.

Hen. Elsyng Cler. Parl. D. Com.



Aug: Printed for *William Smith.* 1642. 26

A

RELATION

OF

The rare exploits of the *London* Souldiers, and Gentlemen Prentizes lately gone out of the City for the designes of the King, and Parliament.

THe miseries and Calamities which of late have happened in this confused place of England are so many, that they furnish the discourse both of this and of other nations, who notwithstanding are not able to expresse them all; I shall now relate you onely two, befalling within these few dayes, and to this end that by the true report of these which by men of sundry passions may be prevented) others of the like natare, if it please God may be prevented, of the one I have certaine information, of the other I my selfe was an eye witnesse. The first happened

happened at *Acton*, some six miles distant from *London*, where lived a Gentleman, reported and beleeved to be different in Religion (as too many now a dayes are which we know to be the cause of all our evills) from the Church of *England*; but in the voice of most of his neighbours a sober moderate and charitable minded man. This Gentleman having in his house no more but one ancient Gentlewoman his kinswoman, whom he intrusted as his house keeper, with one serving man and maide. Had his house beset with divers Companies of Souldiers, who had listed themselves for the service of the King and Parliament and were in pay, and command, under Officers, where after they had forced him to open the gates by threatning words they entred the house, and so strangly despoyled him, that they left him not a bed, bedsted, table, doore, or glasse window, chest, trunke, or the smallest utensill, but sold all for very small prizes before his servants faces, some of them having forced him before on foote to *London*, and for his bills, bonds, letters, and other writings, the most part they tore in peeces, and strewed them about the house, others some they sent up to *London*, he hath with much industry, and long time rarley furnished a plot of Ground with the choicest flowers and outlandish trees, which he could procure, which they plucked up by the roots as many as they could, and the rest left so

desolate

deſolate that whereas it was thought the fineſt and moſt curious gardens in all thoſe part, there is now left nothing but the ruines of art and nature.

The other outrage which with griefe I ſaw was committed in Radcliffe highway, upon Tuſeday laſt being the 23. of this inſtant *August*, where lived an aged Gentleman in good faſhion, love and credit amongſt his neighbours for many yeares ſpace. I was enformed and might likewiſe gueſſe by his aſpect that hee was above foureſcore, and his wife not much diſtant from his time. This poore man was like manner aſſaulted by another company of Souldiers, who are billated thereabouts, untill the Drum commands them to doe ſervice: where having approached his doore, they drew out a paper which they read, whether a pretence of Authority or what elſe I cannot eaſily conjecture. And thereupon they ruſht into the Houſe, rifled him of all that was in the Houſe, breaking and battering many of the goods, and having brought them out, ſold them to ſuch perſons as would buy them at any rates, and this at nooneday and in the ſight of 1000 people; one Featherbed I ſaw ſold for foure ſhillings, and one Flockbed for one ſhilling, & many other things at I know not what prifes, leaving him nothing but naked wales and one ſtoole which the old man ſate upon, he being lame and decrepit with old age.

The

ſhe Headborough of that place endeavored to eſcue ſome of the goods, which were afterwards violently taken againe out of his houſe After the riot was thus ended, they marched away with a drum; and then I made bold to goe into this diſtreſſed mans houſe, where I found him ſitting upon his only ſtoole, and with the teares falling downe his hoary beard; from whence having adminiſtred the beſt comfort that I could I departed.

I will now leave the Reader to Iudge of theſe ſtrange inhumanities they being in this reſpect the more monſtrous in that they are practiſed amongſt Chriſtians againſt Chriſtians, and amongſt men that pretend and indeede ſhould maintaine and defend Religion, the Lawes of the Land, and Priviledges of the Subiect; to the ſcandall of the true ſincere Protaſtant Religion, deſtruction of the Lawes of the Kingdome, and the utter violation of all Priviledge.

If it be heer obiected unto me that they were Papiſts, I demand if there be not many wholſom Lawes, made againſt them, and deſired both by the Kings Majeſty by the Parliament to be put in execution, nay, were they Iewes or Aethiſts, it is a ſtaine to the Government of the Kingdom amongſt many other diſtempers, and may teach Forraigne Princes to uſe the ſame rigour towards Proteſtants beyond the Seas; whoſe Religion in puritie, truth, and decency let us

pray

pray God for ever to maintain and defend. The Lords and Commons in Parliament declares, that all ſuch perſons as ſhall, upon any pretence whatſoever, aſſiſt his Majeſtie in this Warre, with Horſe, Armes, Plate or money, are Traytors to His Maieſtie, the Parliament, and Kingdome, and ſhall be brought to condigne punniſhment for ſo high an offence.

Ordered to be forthwith Printed and publiſhed.

H. Elſyng Cler. Parl. D. Com.

FINIS.



14

THE RESOLVTION

Of the Women of *London* to the Parliament.

Wherein they declare their hot zeale in sending their husbands to the warres, in defence of King and Parliament, as also the proceedings of the King at York, with their full determination in maintaining this their Resolution, to the admiration of the Reader.

With their desires to the Parliament that this may be printed.



Go to the wars.

The Resolution of the women of *London* at a meeting in the Garden Allies in Moore Fields.

BE it known that we the women of London, or rather the women kinde, or female sex, whether wives, widowes, maids, or foolish virgines, if there bee any such, of what size soever we be, low or tall, or of whatsoever condition, whether rich or poore, great or small, honest or halfe honest, even from the blacke-bagge to the Oyster-wench, doe all agree, that if there should be warrs, as wee doe shrewdly suspect it by the daily noise of Drummes, the great preparations which are made, and the powder which is continually spent, together with the cracking of Guns in the streets, we that are wives, and are troubled with bad husbands, that will spend all abroad, and then come home and use us scurvily, beating us out of doores, doe purpose to use our tongues in such a violent manner, that our continuall scolding shall make them goe to the warres, and then will we in our husbands absence, live as merrily as may be, drinke, feast, and walk abroad; and if we have a minde to it, keep and maintaine a friend, that upon occasion may doe us a pleasure: let our husbands fight, they are mad-brain'd enough, they can fight with their poore wives, let them try now if they can fight with their enemies. As for Widowes, they have no husbands to lose; and some of them are so old, that *Cupid* is their malignant parry, they cannot get husbands for love nor money, and therefore they

are resolved to marry none but Cavaliers. I would all the Cavaliers would match to these old Gunnes, that they might leave taking Castles, and marry these old Crones, who during the time of the warres, are resolved to sit still in their chambers and doe nothing, not so much as say their prayers, contriving onely by what means they may secure their gold from being taken away by the enemy. Maids are also resolved, that the report of wars shall not beat the strong conceit of a husband out of their minds; but if they can, they will marry, if it bee but to bring a race of Souldiers into the world; and to the end that they may maintaine themselves in a generous fashion, there being such a plenitude and plenty of maids, that one spoiles the others markets in the way of matrimony, some maids are fully resolved to expose themselves and their commodities to trading, not doubting but to have three for one for every adventure, and afterward make very good wives for hungry Souldiers, at their returne from the warres. But because we will not seeme to iest in a matter of earnest, therefore seeing the Kings Maiesty hath withdrawne himselfe from his Parliament, and hath discouraged their proceedings, nay, and which is worse, hath raised an Army to destroy us all, God blesse us; we women must needs descant upon these words of dangerous consequence: for we know that men are drawne away by severall means and occasions, some by wine, some by covetousnesse, and some (though we say it our selves) by women; but to with-draw is a word of great importance, and will affoord many observations we conjecture, that in this place it signifies to bee drawne by the malignant party; or if the word be turned, we women know that *draw with* are words of doubtfull construction, sometimes to be drawne with temptation, as wee women are often

often drawne with faire alluring promiſes; or in a more particular ſenſe, though ſomewhat opprobrious to bee drawne with an affection of ſtrong drinke to pawne our petticoats, to be drawne with the love of this or that new fangle, to put our husbands to charge for the procuring thereof; to be drawne with the delights, pleaſures, paſtimes, or to be drawne with the love of any thing whether fine apparrell, good wine, good cheere, gay garments and pretious ſtones, all this is to be withdrawn with the concupiſcence of our own deſires, or to be drawn with our owne deſires and concupiſcence; and ſo we upon aſſured grounds doe conceive without the help of any Courtiers or Scollars: That the King is withdrawne by ſome wicked counſellors, commonly called the malignent party, or elſe drawn with the advice of ſome wicked counſellors. We ſay no more, yet ſomthing we will ſay more. It follows in the next place, that the King hath withdrawne himſelf, which is a matter to be thought upon: for many a man is withdrawne when hee is not himſelfe, and is none of his owne man as we ſay, but is indeed ſtark drunk; but the King God be thanked, is a wiſe, gracious, and temperate Prince, a Soveraigne that can reigne and rule over his owne paſſions, and therefore it may very well ſeeme ſtrange, even to women of the beſt underſtanding, that the King hath withdrawne himſelfe: for if the King had been withdrawn and not himſelfe, or himſelfe had been withdrawne and not the King, it had then been very likely that the King might in time have withdrawn himſelfe from thoſe evill wicked counſellors, who have not onely withdrawne the King and himſelfe, but alſo himſelfe and the King: and indeed to ſpeake plainly, the Kings owne ſelfe.

But from whom have they withdrawne the Kings own ſelfe; for that is a point very conſiderable, the words immediatly following make it apparant from whom it is, even from his friends, from thoſe that ſeek his good; and pitty it is it ſhould be ſo, even in a word, from his faithful loving Parliament; had theſe wicked counſellors withdrawne him from ſhewing any favour to Papiſts, and thoſe that are Popiſhly inclined, or withdrawne him from the Cavaliers, or withdrawne him onely from the City, whereby ſome women of good carriage have lived very poorly, for want of the Courtiers company; yet all this might have been born with patience, but they have withdrawne him from the Parliament, that is to ſay, many miles diſtant from the Parliament; neither was it a ſmall iourney that he took, but they have withdrawn him from the Parliament to York; and ſurely they were none of his friends that adviſed him to abſent himſelfe from his Court at White-hall, from his hunting and other paſtimes, and from us though the weakeſt veſſels, yet full of loyalty to his Maieſty: therefore we women doe conſtantly affirme, that this counſell of withdrawing the King, and the Kings ſelfe, which aggravates the matter, was a kind of malitious treaſon, and the counſellors deſerve, in the iudgement of all true hearted women, to be hang'd and drawne that have thus withdrawne the King and the Kings ſelfe from his loving loyall Parliament.

And what hath this produced? It is moſt evident, that the King having withdrawn himſelfe from his Parliament, hath thereby diſcouraged their proceedings: diſcouraged doth intimate as much as to diſhearten, to oppoſe and diſanimate; as we women, when we are out of cloathes, are preſently diſcouraged: and there is no woman but hath read, that when *Venus* and *Vulcan* were taken

ken in bed together, the Poet, as I remember, saith, they were discouraged. And indeed, put the case that any woman, though never so honest, were by her husband surprized, and found lying with another man, would not she on the sudden be much discouraged? and her husband also would bee so much discouraged, that hee would never love her afterward. But these are trivial idle matters, and therefore to proceed further, it followes, that he hath discouraged them in their proceedings, that is, the Parliaments proceedings: for they being all members of the Parliament, therefore whosoever they were that have withdrawne the King from the Parliament, have thereby also discouraged their proceedings, which a is shrewd matter: for how can they go forward, or bring any businesse to effect, or bring to passe what hath been so long expected, while they are by the malignant party, and by the King, withdrawne from the Parliament discouraged, and that in their proceedings: for bashfull suiters never attaine their desires, women never become good housewives, nor any busines can ever be well performed, if the party that doth goe about it, bee discouraged; how can then this Parliament doe that which they desired to performe for the good of this kingdome, if they be discouraged in their proceedings?

But let's proceed a little further, & then it will be most evidently manifest, that this discouragement in their proceedings, is nothing; but that which strikes and pierces us women to the heart, is this: It is most true, that the King hath raised an Army to destroy us all: now I pray you consider who it is hath raiseth these forces, it is no *Wat Tiler* or *Iack Straw*, or any such rebellious company that in former times did rise against the King, but the King doth intend to make warre against himselfe, or on those

that

that love him as wel as himselfe, that is, his loving subiects and Parliament, what follows then? why, by necessary consequence, if the King make war, it must be raised somewhere, and against some body; now this word raising doth import a difficulty in doing any thing with violence; and so we women beleeve that it will bee a hard matter for the King to raise a great Army in the North, even so it is a hard matter for any woman, though of very good breeding, to raise herselfe to be a Gentlewoman, or a yonger brother to raise his fortunes; but if the King having withdrawn himselfe from the Parliament, hath discouraged their proceeding, and also raised an Army to destroy us; we women doe purpose to raise up our vaines, and most heartily to curse the malignant party, who hath perswaded the King to raise this Army; and we women, to shew our good affection to the King and Parliament, will bee ever ready to reason and wrangle in defence of them both; and if we had nine lives like a Cat, or nine Cats lives, which according to that computation, would be eighty or e lives, we would expose them all to hazard for the maintenance of the Kings person and honour, and the priviledge of Parliament.

FINIS.

N

Cer

on

Al

hab

men

are

gion

hav

A



Newes from the Citie of NORWICH:

OF

Certain paſſages which happened there on Munday laſt, relating the number of the Cavaliers which are diſperſed in ſundry Villages neer the Citie.

Alſo ſhewing the reſolution of the Inhabitants of Northampton-ſhire, being 4000 men ready arm'd, in the oppoſition of the Cavaliers, who are Enemies to the Parliament, and the Proteſtant Religion: Alſo how ſome Parliament men of Northampton-ſhire, have in two dayes the laſt week, taken ſubſcriptions of of plate and money, to the value of 3000 pounds, and 480 Horſe brought in by the Countrey-men into Northampton.

Alſo a Manifeſtation how the Gentrie and Traine Bands in York-ſhire do begin to fall away from the King, and many of the Lords Souldiers by twenties do run away, and many of the Princes likewiſe.

With the true Relation of the ſiege of Coventrie, and the joyfull newes from the Citizens on Wedneſday, in their proſperous proceedings, which God continue: Shewing how they tooke three Peeces of Ordnance from my L. of Northamptons men, and a load of Armes the laſt weeke.

Ordered that this be printed. *Hen. Elſin. Cler. Par. D. C.*

London, Printed for *Th. Clapham*. Aug. 26.

Certain passages which happened there

Order'd that the same be printed. Hen. Elsynge, Cler. Parl. D. C.

London, Printed for Th. Clayham. Aug. 26.

Newes from the Citie of Norwich.

FRom Norwich on Munday last it is certified by a Factor who liveth there, that there are many Cavaliers scattered up and downe, who have plundered many mens houses living in villages neere unto Norwich, being supposed to be about 150 Horse, and 300 Foot; but God be thanked we are above 2000 able armed men within the Citie, and wee doe not doubt but in short time to drive them away; Captaine *Sandy*, Sir *Tho. Ousfold*, and Captaine *Ogle* are gone to meet them, to stop their proceedings with 200 Horse, and 200 Foot; and the whole Countie doth gather Forces together continually, and there are Writs sent out into every Hundred, to know the strength of the Countie, which very shortly when it is certainly knowne I will give you intelligence: I doe heare for certaine, that this countie will live and dye in the defence of the Parliament, for the maintenance of the Protestant Religion. Yours, &c.

From Northampton shire.

There are good and prosperous informations brought from Northampton shire; for the towne of Northampton is very strong having 4000 men in Armes, and 400 Horse for the defence thereof: and as soone as the Earle of

Peterborough comes downe, whom they verie earnestly do expect, they hope to declare their magnanimitie and fidelitie to the Parliament, for being animated with standing in their defence, they intend with much cheerfull alacritie to declare themselves against my Lord of Northampton and his Cavaliers. Coventrie (whither of late the King is march'd to set up his Standard) hath a thousand men in Armes; that will lose their lives in repelling any hostile violence that shall bee offered by the Kings Forces, having taken away a Peece or two of Ordnance, and a load of Armes from my Lord of Northamptons men last week. The generall and inclinations of this countie doe stand right and full of integrity to the Parliament, so that some of our Parliament men being come downe, they have so well confirmed them in their resolutions to stand for the Parliamen, that by taking subscriptions of plate, money, and horse, they have found the cheerfull bountie of the County, so ample and affectionate, towards them, so that in 2 dayes sitting they have got to the value of 1000 l worth of plate, and twice so much money, and about 2 or 300 hundred horse, many yeoman men comming in with 10 l and a horse, and 20 l and a horse, and the Parliament have subscribed so many horse, and so much money in the County as they did in London; the commissioners for the Array finding that Northampton is so well replenished with men and Armes, doe grow somewhat timorous and fearfull to execute their office, and there is nothing lacking for the defence of the Town, but Ordnance, whereby they might be able to defend the money and plate, gathered and collected by subscription, being a booty that will be much aym'd at to instigate the ravenous Cavaliers, who are ready

dy

dy to attempt any thing especially being drawn on by the temptation of getting and obteyning any considerable prize.

In this great and generall distraction of severall Countries, there is most certaine note given by credible information, that there are great store of Troops upon Dunsmore Heath, who do violently take away Armes by night, and thereby strike a great terrour into the Inhabitants: it being also for certaine reported, that the King intends to be there on the 24 of this moneth. But though his Majestie do thus prosecute his intentions in severall places, the whole adjacent Counties being much perplexed by his sudden determinations, and by the many insolent and outragious inrodes of the Cavaliers; yet there is a kind of defections, or falling off from the King in Yorkshire, the Gentrie and Trained Bands forsaking and relinquishing the matter, as cold and discouraged therein, the Lords Troops running away by twenties, and from the Princes Troop the last week from Lincolne ten: so that now the chiefe Abettors and Supporters of these designes are the Papists, who are much necessitated, and I hope will be more hereafter; so that though they buy many horses, yet they are such meane ones, and of low prices, and so unserviceable, that they appeare rather Carriers jades, than light horses for the casting Cavaliers, though their number of subscription was verie great.

All the Shire are called and summoned to appear this weeke, concerning the Commission of Array, together with the Trained Bands and Free-holders; and it is generally exclaimed on, and cried out amongst the best of our people, that Altar-Priests have poysoned the best

of the people, which doth not a little take with the worst. The former informations and relations were sent up in a Letter to Mr. *Newton* living in the Old Jurie, from his brother dwelling at Coston in Leicester-shire: and from another brother of his living at Northampton.

The King being highly incensed, and full of indignation against the City of Coventry, for denying him admittance into the Towne with his whole company of Cavaleers, departed much discontented, threatning to convert their City into a heap of ruine and and dissolution, and accordingly brought divers pieces of Ordnance, and with them made many shot against the gate of the City, which at last was by the continuall playing of the Ordnance layed open, but before that could be done, some shot not being rightly levelled, did beat downe part of the Lady *Hales* house in white Friers, so that the Lady, and old mother *Johnson* who had laid Bedridden 5 yeares before, in a place called the tower, adjoyning to white friers, were both killed, in this great affright and amazement, the thundering noyse of the Cannons made the Citizens full of courage and resolution, and as it often happens that extremity of danger doth necessitate the wit to invent and put somewhat in execution, that may be advantageous to the present occasion, so the Citizens of Coventry very fortunately to the great joy and admiration of all people well affected to the Parliaments partie, watching a fit and convenient opportunity to attempt their designe, when the Kings forces were secured and expected nothing lesse than that which happened, these resolute Citizens of Coventry with one unanimous consent sallyed and issued out of the towne, and behaved themselves in such a valiant manner, that they compelled

pelled the Kings forces to retire and forsake their Ordnance, and so prosecuting their good successe hitherto so prosperous unto them, they at last cleered the Ordnance from all incumbrance, and tooke 2 of them into their own possession, whereby the Kings intents for the battering of the City of Coventry, were altogether disappointed, and besides the Citizens thus valiantly and fortunately issuing out, most magnanimously performed their parts against the Cavaleers, and encountering with them, gave them such a violent onset, that in short time threescore and ten of them at least were slaine, and the rest that survive to doe more mischiefe, were forced to retire, and save themselves by flight; and thus the Citizens of Warwick have by their own valour, seconded with fortunate successe tooke 2 pieces of Ordnance from the King, and lessened the cruell and insolent number of the Cavaleers, whereby it appeares that a just cause, such as the Parliament doth undertake, need not fear any strength or opposition, for the justice of Heaven cannot but suffer, but will at last crowne it with peerlesse victory, for *magna est veritas & prævalebit*, great is truth, and those that stand in defence of the truth shall prevaile.

The City therefore of Coventry, being now somewhat animated and encouraged by their fortunate taking of the Kings Ordnance, and the killing of 70 Cavaleers, with whom they viliantly encountred, doe now seeke further to improve their good successe, and to prevent any second attempt that may be made against them, not knowing when they shall againe by the kings forces and the Cavaleers bee assaulted, they have therfore to prevent any second violence, if the king shou'd plant any Ordnance against the City; being as they suppose as much discontented

rented as hee was at the first, whereupon the Citizens have resolved to fortifie the City as much as they can, and for their better security, they have with much labour and industry raised a mud wall against Newgate, to dampe and daunt the shot if any should hereafter be made against it, and they intend also to make the like fortification of earthern rampires to strengthen the wals, they being very joyfull in regard of their late happy proceedings against the Kings undeserved attempt, and the cruell Cavaleers, and no doubt the Relation thereof, will be very grateful and acceptable to all well affected people. And moreover if the Cavaleers should hereafter appear again, and make another attempt to enter the City as they formerly have done, they have contrived a very pretty politick meanes to disappoint the insolency of their malicious fury, for that they might hinder their passages, and plunder them at their comming into the City, they have brought forth their tables, chests, Stooles, and harrowes, and layd them in the street to prevent the horse, if the Cavaleers should oppose again unto the City.

FINIS.

D E

PR

How

core

Hov

By

16.

A DESCRIPTION Of a PREROGATIVE ROYAL.

SHEWING

How far a SOVERAIGNE may according to the VVord of God require service of his Subjects by his PREROGATIVE.

Also

How far a Subject is to give true obedience unto his SOVERAIGNE.

By M: B. wishing happy prosperity unto the King, Parliament and Kingdome.

Acts 2. 17.

And it shall bein the last dayes, saith God, I will powre out my Spirit upon all flesh, and your sonnes, and your daughters shall prophesie, and your young men shall see visions, and your old men shall dreame dreames.

Psal. 119. 46.

I will speake of thy testimonies also even before Kings, and will not be ashamed.

August. 26.

London, Printed for T. B. 1642.

The description of a Prerogative Royall.

WHereas it hath beene and is a great question about a Prerogative Royall, and the liberties thereof by Papists, Atheists, Newters, or men of no religion, that seeke after preferment and authority by cogging flattering and lying and not by christian upright dealing, and thereby do abuse the King our Soveraigne, pulling and stretching out his prerogative untill it bee rejected of all true subjects, and doe not onely abuse the King under pretence of his Prerogative Royall, but doe thereby falsifie the truth of it, for they do describe the Kings Prerogative in this manner saying:

That his Majesty may by his Prerogative, command the goods, the Chattells, and the lives of any his subjects inhabiting within his kingdome, and dominions, and that is false which you shall see anon.

Now seeing that Antichrist his brood can make bold to describe a Prerogative Royall in a false maner to set the king and his subjects at variance, I do thinke it not onely necessarie but also of necessity for a christian subject to describe the truth of a Prerogative Royall, thereby to set peace betweene the king and his subjects, so farre forth as it shall please God to give his blessing thereunto.

And now to the matter what the Kings Prerogative is, as namely that the King is subject to none but to God.

So that he may have command of the subjects whatsoever things necessary and necessitie doth require, so farre forth as the truth of his Prerogative doth extend.

Object. Then the King may command or require whatsoever the malignant party aforesaid hath spoken of before.

Answ. No, for as the King is subject to none but to God, so he is subject onely to God alone, and for to give an account unto God for all his workes whether good or evill, so that the office

office of a King as it is the greatest dignitie and honour in all the world, so it is a heavie burden, being well considered and flatterers, inchanters or spirituall witches, will make it more heavie, if God in his mercie do not defend him from those wicked fiends.

But the truth is a Prerogative Royall doth stand upon three points, or architects: that is to say foundation, supportation, and obligation, even so doth the Prerogative Royall stand upon the foundation of truth, supportation of judgement, obligation or bond of righteousnesse: now if any of these three points be wanting, in architect the building cannot stand.

Even so likewise in a Prerogative Royall it stands as aforesaid, upon these three points, but after a mysticall manner, as first, the foundation of truth, secondly the supportation of judgement, and thirdly the bond of righteousnesse.

And these three points hath God commanded the Kings Prerogative to stand upon, as first in the booke of Deuteronomie, the 17. chap. the 18. 19. and 20. verses: Giving us to understand that Kings must be godly, and religious, whose affections must bee full to obey the truth, the will, and the word of God, wherby he may be a discerner of truth from falshood, and and not to be carried away with every winde of false doctrine, as many Kings are.

The second point that the Prerogative is upholden by, is judgement, for if a man have never so good foundation in the truth, yet if he have no judgement to support the truth aright, whereby doth proceed matter of true faith, as good not know the truth, for without truth it is impossible to please God: even so the Kings prerogative must have judgement to uphold the truth; for he that hath not true judgement is subject to many errors and falls into heresies and is alwaies apt and ready to be deluded, and miserably deteined.

The third point upon which a good building doth consist, is Peace, Obligation, and a sound Band; for in Architect the foundation, the supportation, being never so firme to shew, yet if it have not good Band to hold it outward together, it will soone fall, and be ruinated.

Even so stands the case of a Prerogative Royall if it

have not truth, and having truth, hath not judgement, and having judgement, have not the bond of Righteousnesse, it can be no Prerogative Royall, for God hath commanded in the 22. of *Jeremy*, the 1, 2, 3, 4. and 5. verses.

So here, we vulgar sort of people may see upon what ground the Kings Prerogative doth stand, as namely, upon Truth, Judgement, and Righteousnesse, so as Truth and Judgement doe teach matter of Faith, so Judgements and Righteousnesse doe teach manners of life and conversation.

So that here we may learne and observe, that as it is the duty of all Kings from God to raigne, to rule, to governe and command (in their severall Kingdomes, and Dominions) all the subjects according to the Prerogative afore mentioned.

So it is the duty of every subject from God faithfully to obey his Soveraigne Lord the King, according to the same Prerogative, as in Truth, Judgement, and Righteousnesse, and this in the performance of this duty, will make a good accommodation and reconciliation between King and People, Soveraigne and Subject.

As in *Joshua* the first Chapter 16. and 17. verses, *And they answered Joshua, saying, All that thou hast commanded us will we doe, and whithersover thou sendest us will we goe, as we obeyed Moses in all things, so will we obey thee, onely the Lord thy God be with thee, as he was with Moses: Whosoever shall rebell against thy Commandements, and will not obey thy words, in all that thou commandest him, let him be put to death, only be strong and of a good courage.*

Object. Then the King may command what he please.

Answer. As *Moses* and *Joshua* did receive Gods will by immediate meanes; so the King and his People must receive the will of God by immediate meanes, as namely, from the written word of God.

This being so, it is a maxime inviolable, the use that wee are to make is this, that it doe not onely reprove, but also condemne those that doe abuse and falsifie the Kings Prerogative, saying, and holding that the King may command by his Prerogative the lives, lands and goods and chattells of any subject or subjects, when or whersoever he pleaseth, and

and ſo conſequently doe make of a good King a witty tyrant, not onely in matters of faith, but alſo in manners of life, wherein doe conſiſt the mark of true Chriſtianity.

And thoſe miſerable wretches being croſt in their wicked deſignes, have laboured by all meanes poſſible to make variance betweene the King and his Parliament, and ſo by this conſequence they raiſe a breach between the King and this Kingdome, by their inchanting ſpirituall witchery, flattering and diſſembling, and ſo ſeducing the King under pretence of honeſty and plaine dealing, when there is no ſuch matter, but only meere deceit, and all for their owne ends.

But be they what they will be, ſo long as they continue in thoſe wicked courſes and practiſes, that make themſelves inſtruments and ſlaves to their maſter the Divell, and he will one day pay them their wages to their utter ſhame and confuſion of ſoule and body for evermore, except God in his mercy doe give them grace to repent.

The ſecond Uſe is to adviſe them to pray unto God that he will be mercifull unto them, to open the eyes of their underſtanding, and to give them a cleare ſight and feeling of their ſins, that they may not be blinded in them through delight or cuſtome, as reprobates are: But that they may bee weary of them, much grieved for them, if the Lord of his mercy touch their hearts with true repentance, that they bee inwardly ſory for all ſins, not to take any delight or pleaſure in any ſin, but that they turne to the Lord with all their heart, and ſeeke him while he may be found, and call upon him when he is neare, and whiles he offereth grace and mercie unto them before it be too late.

Furthermore, ſeeing the King is ſubject to none but to God; then here is a duty for all Chriſtian Subjects to entreat the Lord by dayly prayer ſo to ſanctifie and direct our Kings heart, that he may raigne, rule, and governe us according to his bleſſed and ſacred will revealed in his word, that is to ſay, in Truth, Iudgement, and Righteouſneſſe, and that God would vouchſafe to enrich his royall heart with the manifold graces of his holy Spirit, that he may be an advancement to his glory and comfort to his Church, and a terror to his ene-

mies, keeping from treaſon and treacheriet at home and abroad, and eſpecially from the conſpiracie of Romaniſts, and from ſeducing deluding flatterers, giving him to ſee what belongs to his peace, and give him a heart earneſtly bent to ſet up the practice of the ſame; give him all grace neceſſary for his place, and neceſſary for his owne ſalvation, continue his government peaceably and proſperouſly amongſt us, and as thou haſt made him the breath of our noſtrills, and a gracious inſtrument for the ſaving of many thouſand ſoules: So O Lord, let his owne ſoule be ſaved in the day that thy Sonne Jeſus Chriſt ſhall appeare, and grant deare Father that wee his ſubjects may lead a quiet and peaceable life in all godlineſſe and honeſty; and now O Lord, we beſeech the ſtrengthen his Majeſty, and ſanctifie his royall affection, that he may imitate thy good ſervant King *David* in the reformation of his houſe, from the neareſt to the furtheſt, the higheſt to the loweſt: fix his eyes O Lord, upon the faithfull of the land, that they may dwell with him, Pſal. 101. and to have reſpect to thoſe that walke in the perfect way to ſerve him, and give him O Lord, a ſetled reſolution, that no deceitfull perſon dwell within his houſe, and he that flattereth and telleth lies may not remaine in his ſight. Amen, ſo be it.

So that if all faithfull ſubjects that are Houſholders, will take this for a preſident, to receive and entertaine good and faithfull ſervants, and to turne out all wicked and profane wretches, that have no feare of God before their eyes, ſo that when theſe people ſhall ſee themſelves caſt out of the favour of God, good men, and their ſervices, and pious families, by reaſon of their wicked behaviour; by this means they may be brought to ſee their owne miſery and groſſe ſins they have committed; and conſidering what vile wretched perſons they have been, like to the prodigall ſonne ſpoken of in the Goſpel, Luke 15. thereby grace may worke upon them, as to turne their wayes from evill to goodneſſe, and change their mindes from vice to vertue, and to pray to God to give them true and hearty repentance; that whereas they were before prophaners of the Lords day, they may be ſanctifiers of the Lords day; of blaſphemers and foule mouth'd ſwea-

rers, to become reverend ſpeakers, of proud, to bee humble, of damnable idolaters to bee true worſhippers of God according to his Word; of railers and ſpitefull haters of the true preachers and profeſſors of Gods Word, to be true hearted lovers of the Preachers and profeſſors of Gods Word; of ignorants of God, to learne to be well acquainted with God and his word; of hurtfull, harmleſſe; of filthy whore-mongers and wantons, to become chaſte livers; of beaſtly drunkards, to become ſober people; of cheaters and theeves, to hate and deteſt all ſinne as the very hang-man or cut-throat of our ſoules.

Theſe are ſome of the fruits of true repentance, ſo that they may be regenerated faithfull and religious people to the glory of God, and ſalvation of our own ſoules in Jeſus Chriſt our onely Saviour and Redeemer.

But now to anſwer to an objection that may bee made by Papiſts, Atheiſts, Newters, and Proteſtants at large.

Object. This which you have before ſpoken, is too much preciſeneſſe, we are not to live ſo preciſely, and none are ſo preciſe but Puritans.

Anſw. Firſt, preciſeneſſe in matters of Religion is not only neceſſary, but alſo of neceſſity, becauſe St. *Paul* doth confirme it.

In the time, or after the way which you call hereſie, ſo worſhip I, the God of my Fathers, beleeving all things which are written in the Law and the Prophets, Acts 24. 14.

Secondly, preciſeneſſe in Religion is of neceſſity, elſe we ſhould be ignorant of the knowledge of God, and then mark what judgements of God will follow. Saint *Paul* ſaith in the Romans, chap. 1. verſ. 28. For as they regard not to know God, even ſo God delivereth them up unto a reprobate mind, to doe the things that are not convenient.

Againe in 2 Theſſ. 1. 8. 9. And unto you that are troubled, reſteth us, when the Lord Jeſus ſhall ſhew himſelfe with his mighty Angels in flaming fire, rendring vengeance to them that know not God, and obey not the Goſpell of our Lord Jeſus Chriſt, which ſhall be puniſhed with everlaſting perdition from the preſence of the Lord, and from the glory of his power.

Thirdly,

Thirdly, I would willingly know what opinion Puritans (as you tearme them) doe hold contrary to that as every one hath promiſed to God in his baptiſme, and is bound upon paine of damnation to performe it.

If you can prove any thing contrary to that covenant made unto God, then make it appeare, and ſpare not. But if you cannot prove any thing contrary to that we have promiſed and vowed in our Baptiſme (as indeed you cannot) then take heed how you doe hate and deride the Preachers and Profeſſors of the Goſpel, giving them nick-names and ſcoffing termes: for Chriſt his words wil prove true, that hath threatned againſt thoſe railing, deſpitefull, and envious wretches, that it ſhall be eaſier for the people of Sodom and Gomorrah in the day of judgement, then for ſuch, Matth. 10. 15. Then being ſo, it were good for thoſe people that are given over to ſuch a habit of deriding and deſpiſing Gods ordinances, that they take into conſideration the great danger they doe pull upon their owne ſoules and bodies, which are judgements in this life, and eternall torment in the world to come. Firſt judgements in this life, as ignorants of God, thereby comes blindneſſe of minde, Eſa. 6. 9. 10. and 59. 8. 9 10. Hardneſſe of heart, infidelity and unbeliefe, Matth. 3. 5. Exo. 9. 34. 35.

Secondly, eternall torments, as to be ſeparated from a good and mercifull gracious God, and to burne in the lake of fire and brimſtone for evermore, which is the ſecond death, Rev. 21. 8. Conſider what is ſaid, and the Lord be with your underſtanding in all things, 2 Tim. 2. 7.

FINIS.

17

AN ORDINANCE OF THE LORDS and COMMONS in *Parliament* assembled;

For the better observation of the Monethly FAST.

Die Mercurii 24. *August.* 1642.

It is this day Ordered that this Ordinance for the better observing of the Fast, bee forthwith printed and published.

Hen. Elsynge, Cler. Parl. D. Com.

LONDON, August. 26.
Printed for *Laurence Blaiklock*. 1642.

BRITISH

An ORDINANCE OF THE LORDS and COMMONS in PARLIAMENT assembled.

WHereas the Kings most excellent Majesty, upon the request of the Lords and Commons in this present Parliament assembled, and by and with their advice and consent, considering the lamentable and distressed condition of his good subjects in the Kingdom of *Ireland*; (that there might be a generall humiliation of all the estates of this Kingdom before Almighty

God in Fasting and Prayer) was graciously pleased to command the keeping of a Monethly Fast; and to the end that all persons might the better take notice thereof (and to leave such without excuse, as should not duly keep and observe the same) did afterward by his Proclamation of the 8th of *January* 1641. appoint that the same should bee generally, publikely, and solemnly holden, and kept, as well by abstinence from food, as by publike prayers, preaching, and hearing of the Word of God, and other Religious and holy duties, in all Cathedrals, Collegiate, and Parish Churches, and Chappels within the Kingdom of *England* and Dominion of *Wales* (without any exception) on the last Wensday of every Moneth, to continue during the troubles in the said Kingdom of *Ireland*: All which his Majesty did straitly charge and command, should be reverently and devoutly performed by all his Subjects, as they desire the blessing of Almighty God, and would avoyd his heavie indignation against this land and people; and upon paine of such punishments as may justly be inflicted upon all such as shall contemne or neglect so religious a work and duty.

And whereas the Lords and Commons in both Houses of Parliament, have received divers informations from severall parts of this Kingdome and Dominion of *Wales*, of the great neglect of the due observation and keeping of the said Fast upon the dayes appointed

pointed, and of the profanations of the ſame, by many irreligious, ill-affected, looſe, and ſcandalous perſons, as well of the Clergie as others, who are ſo farre from afflicting their ſoules and looſing the bands of wickedneſſe, as that they provoke the wrath of Almighty God, and make ſo pious a meanes to procure his bleſſings, the occaſion of greater Judgements.

For the prevention whereof for the time to come, the Lords and Commons doe order, declare, ordaine, that in all and every the Cathedrals, Collegiate and Pariſh Churches, and Chappels within the Kingdom of *England*, and Dominion of *Wales*, (without any exception) upon every Lords day, next and immediately before any the dayes appointed for the ſaid publike Faſt, the Parſon, Vicar, Curate, or Miniſter, that upon that day ſhall Officiate, or exerciſe in any of the ſaid Cathedrals, Collegiate, Pariſh Churches or Chappels, ſhall give publike notice in every of the ſaid Cathedralls, Collegiate, Pariſh Churches, or Chappels reſpectively, of the Faſt day next enſuing, immediately after Sermon, or prayer ended in the forenoone, before the Congregation bee diſmiſſed, earneſtly exhorting and perſwading all the people to the ſolemne due keeping and religious obſervation of the whole day appointed for the ſaid Faſt, and that they would repaire to ſome Church or Chappell, there diligently and reverently to attend all ſuch holy duties as ſhall be uſed in the obſervance of the ſame; that they forebeare

beare to uſe all manner of ſports and paſtimes whatſoever,& their ordinary Trades and Callings upon the ſaid day, as well Carriers, Waggoners, Carters, Waynmen, Drovers, Butchers, Huckſters, Shop-keepers, Labourers; or any others uſing any Art, Trade, Myſtery or mannuall Occupation whatſoever, and that all Vintners, Taverners, Ale-houſe-keepers, and Keepers of Victualling-houſes, doe forbeare to keep open their doores, Bulks, or Shops, or to ſell or utter (except in caſes of extreame neceſſitie) any Wine, Beare, Ale, or Victuall, till the publike exerciſes and religious duties of that day in the reſpective Cathedrals, Collegiate, Pariſh Churches and Chappels be paſt and over.

And laſtly, all and every the Juſtices of the Peace, Mayors, Bayliffes, Conſtables, Church-Wardens, and other Officers inhabiting or reſiding within the limits or precincts of any ſuch Cathedrall, Collegiate Pariſh Church, or Chappell, are hereby required to take ſpeciall notice as well of ſuch Parſon, Vicar, Curate, or other Miniſter that ought to officiate in any of the ſaid Cathedrals, Collegiate, and Pariſh Churches or Chappels, upon any ſuch day appointed for the ſaid Faſt, that ſhall either refuſe or neglect to do the ſame, or not do or cauſe the ſame to be done in that religious and ſolemn manner as it ought to be, or that ſhall refuſe to give notice of the Faſt day at the time and in manner as aforeſaid, and forthwith to return their names and the names of all ſuch (from time to time) as

ſhall

ſhall wilfully offend herein, in contempt of the Lawes, his Majeſty, and both Houſes of Parliament, unto ſome one or more of the Knights, Citizens, or Burgeſſes that ſerve for the County where ſuch offence is, or ſhall be committed, that ſome ſpeedy courſe may be taken for the ſevere puniſhing of ſuch as ſhall offend herein according to the Lawes.

FINIS.

Die Mercurii 24 Auguſt. 1642.

IT is this day Ordered, that this Ordinance for the better obſerving of the Faſt be forthwith printed and publiſhed.

Hen. Elſynge Cler. Parl. D. Com.

REGISTRY

18

A Coppie of a

LETTER,

Read in the Houſe of

COMMONS:

SENT

From Maſter SAMPFORD,

High Sheriffe of the Countie of *Somerſet*, and the Committee there, of their weekly proceedings, in ſearching the Recuſants Houſes.

Alſo the number of ſuch Ammunition as was taken in their Houſes, and ſent to the Caſtle at Taunton

---

Ordered to be Printed.

Hen. Elſyng, Cler. Parl. D. Com.

Auguſt 26.

Printed at *London* for *W. Ley*. 1642.

A Copie of a

LETTER

Read in the House of

COMMONS

SENT

From Malmesbury

High Sheriffe of the County of Wilts,

and the Committee there,

of their weekly proceedings, in

searching out Recusants Horses.

Also the manner of Jacob Ashmanton &c.

Who taken in their Temples, and sent up

Captive at Lawson.

Ordered to be Printed

Hen. Elsyng, Cler. Parl. D. Com.

Printed at London for W. Ley. 1642.



A Coppie of a Letter read in the house of Commons, sent from Master *Sampford*, high Sheriffe of the Countie of *Somerset*, and the Committee there, of their weekly *Proceedings, &c.*

Honourable Gentlemen,

WEE have sent you our Weeks taske, and an account of the service we were commanded by both Houses, *viz.*

FIRST, on Munday, the fifteenth of *August*, early in the Morning wee with the attendants of the Trained Bands came to *Taunton* none knowing our intent, (the Major excepted) after an houres respite, Baronet *Portman*, Mr. *Coles*, Mr. *Pyne*, and others were sent for by us, who immediately came and assisted us with Horse and Foot: Then after consultation

wee searched one Master *Brownes* house a Recusant, and found therein 60. mens Armour, and other Ammunition of Pike and Musquet, in Alderman *Sherers* house twentie mens Armour of Pike and Musquet, in Master *Tuckers* house, the Receiver of the Bishop of Winchester's Rents, and Steward of his Courts one hundered mens Armour for Horse and Foot, also two barrells of Gun-powder, fifty great Saddles, with shot of all sorts. Then we marched to the out-parishes, as Badford, Neneard, Langford, and Wellington, and in Badford, searching Captaine *Collins* house, found therein ten mens Armour, and in Master *Eyons* house of the same parish five mens Armour: at Neneard, searching Master *Sheeres* house, found therein 40 mens Armour of pike and musquet: And at Langford, at Master *Prowses* house twenty mens Armour; and at Wellington in Master *Strawbridge's* house fifty mens Armour.

On Tuesday, the sixteen we marched to *Bridgewater*, where we were entertained by the Major and Aldermen, and found therein at some private gentlemens houses about sixty mens Armour, and other Ammunition, and left it in charge with the Major and Aldermen, to bee ready at the King and Parliaments command.

On Wednesday the seventeenth we marched to *Wells*, and comming within a mile of the Towne, wee were met by the Major and Aldermen, and accompanyed by them into the Towne, and quartered our selves, in searching two or three streets, and began first and searched the Bishops house, but found nothing there. But in Doctor *Westons* house wee found neare upon one hundred mens Armour; in Esquire *Roses* house forty

mens

mens armour, in Esquire *Pallards* house forty mens armour, in Master *Johnsons* house twenty mens armour in Master *Tomkins* house fifty mens armour, and wee gave imediate charge to have them carryed to *Taunton* Castle, which was so done.

On Thursday the 18, we marched to the City of Bath, accompanyed with Mr. *Barret* of Cotford, Master *Basset* Master *Harrington*, Master *Bampfield*, and others, and there searched Sir *George Ives* house but found none there, but one of his servants said he had sent all his Armour to *Sir Ralph Hopton's* house and was going thither to sojourne with his wife and family: Then wee searched one Master *Ceasars* house, neare the Earle of *Rutlands* Castle, and found therein 100 mens armour, five light horses, and sufficient ammunition for twenty horse more; and about 10000. pound in money: and afterward wee went to Sir *Edward Rodneys* house where we concluded that some of us should the next day with a sufficient Company of Horse and foot, search these Townes here underwritten, *viz.*

Glastenbury, Ilchester, Ilminster.
Shipton Maler, Chard, Crewkerne.
South, and North Perherton, &c.

The Sheriffe requested that by reason of his age he might be excused of the said attendance, and that his servants should wait on them where they pleased, which was granted.

Sir *Edward Rodney* and Captaine *Brooker* immediately sent warrants for the Trained Bands about them to give their attendance the day following.

On

On Fryday the 29 two companies of foot came to Sir *Edward Rodney's* houſe and ſearched the Towne of Glaſtenbury, and found therein forty mens armour, and at the end of Glaſtenbury Downe in Farmer *Twiſts* houſe 100 mens armour of horſe and foot, and after examination, confeſſed it was his Landlords armour, Sir *Iohn Stowells*, and hath had it within this ſixe weeks, nevertheleſſe committed him to Ilcheſter Goale for his ſecreſie.

This day alſo Mr. *Phillips*, Mr. *Light*, Mr. *Hodges*, & Mr. *Trevillion* met at Ilcheſter, and a Trained band attended on them and ſearched one Mr. *Vincents*, and Mr. *Forteſcues* houſes, & found in each of them 40 mens armour a peice, and in Kingſton pariſh being the Earle of Barkeſhires were found in a barne 10 light horſes, 100 Saddles 100 ſwords and 40 muſquets which was immediately ſent to Taunton. In Ilminſter and Shipton Mallet, there are divers other poore Recuſants, but none able to buy or maintaine armes.

This day alſo at *Chard* there met Mr. *Martine*, *Sr Henry Roſewell*, Mr *Preſton*, and Mr *Symes* who were accompanyied with the trained Bands, and ſearched the Parſon of the Pariſh his houſe, and found there 50 mens Armour, in Mr *Coleman's* houſe 100 mens Armour, in *Sir William Button's* Ladies Houſe 150 mens Armour, in Mr *Hill's* houſe 50 mens Armour; All which was likewiſe ſent to Taunton Caſtle.

The ſame day Mr. *Meredith*, Mr. *Fowler* and others were appointed to ſearch at Crookehorne and thereabouts, who came to the Lord *Paulet's* houſe, but the Gentry and ſervants therein would not obey their authoritie but bid them be gone otherwiſe they would

let bullets fly amongst them, and would not let any of the Trained Band to enter the said house: Hereupon one of the Trained Band shott a bullett against the Port-house doore, nevertheless they would not open it, at length they brake it open and entred perforce & one of the Trained Band killed, there was above fifty persons therein Gentry and servants, there was fonnd 10 light horse and 150 mens Armour or thereabouts.

Then wee came to North and South Petherton & in *Sir John Cary's* house found 20 mens Armour; All which number of Armes amounting unto, *viz.*

Armour	1800	Light-horse	25
Saddles	150	Money	10000. *li.*

All which wee left in the Castle at Taunton under the Custody of the Maior and Aldermen of the said Towne with a sufficient guard for the safe keeping thereof.

Wee therefore humbly pray the Honourable Assembly in Parliament, that the Ammunition taken aforesaid may not be carried out of the Country but that it may be distributed and imployed in the defence of the Countrey. And wee shall daily pray for the happy proceedings of both Houses.

From Bath, *August* 20. 1642.

Your affectionate friends,

H. Sampford. *J. Horner.*
I. Stroud. *A. Popham.*
F. Coles. *A. Pyne.*

Ordered to bee Printed.
Hen. Elsing Cler. Parl. D. Com.

FINIS.

5 K. Ant. Brit. & Fran.
Charles I. Reg.
20.

HIS MAJESTIES ANSWER TO THE *DECLARATION* *of both Houses of* PARLIAMENT, Concerning the Commission of ARRAY:

Of the first of *July*,

printed first at York 1642.
reprinted at Camb: 25 Aug:
prohibited to be printed at London

Printed by his Majesties speciall command,

At *CAMBRIDGE*, 15 Aug:

By ROGER DANIEL, Printer to the famous Universitie. 1642.


HONI SOIT QVI MALY PENSE

¶ His Majesties Answer to the Declaration of both Houses of Parliament, concerning the Commission of *Array*.

HAving first received, by the published Votes and Declarations of both Our Houses of Parliament, severall informations of evident and imminent danger unto Our Kingdome, *from Enemies abroad*, and *at home*, and finding that Our Commissions of Lieutenancy (although We did since the beginning of this Parliament grant the like for the County of *York* to the now Earl of *Essex*, with the privity of both Our Houses of Parliament, and without exception from either; and that the same was the means for defence of this Kingdome used in the happy times of that good Queen *Elizabeth*, and Our blessed Father, and confirmed as well by the opinions of Judges and Lawyers, as the universall obedience of the Subjects) were all of them, without hearing any of Our Councel learned, voted illegall, and by Our House of Peers called in to be cancelled: And that thereupon Our Kingdome lay open and exposed to all dangerous attempts without other provision then of a late pretended Ordinance of both Our said Houses; which (being made without Us, and contrary to Our expresse will declared, and after it had been twice refused in Our House of Peers, and after the departure of a major part of the Peers) was so far from being a means to prevent danger, that if it should have been admitted, it would in all probability have been the ready way to confusion, and ruine, as being made in an unparliamentary, unpresidented, and unjustifiable way, and therefore

of a moſt dangerous conſequence, both to Us and Our people, as well in that particular, as in the Example.

We did therefore, for the avoiding of the perill of delayes and expence of time in diſputes, iſſue forth ſuch Our ſeverall Commiſſions of Array into Our ſeverall Counties, as upon great advice We conceived were not onely ſecure for, but alſo might well be moſt ſatisfactory unto both Our Houſes, as being beyond all juſt exception in the point of Legality, Danger, or Inconvenience, the ſame having been heretofore moſt deliberately agreed upon and ſettled (as We ſhall herein ſhew) in, and by the care and wiſdome of the Parliament, held in the fifth yeare of King *Henry* the fourth.

And We expected for this Our ſo Princely care of Our People, and obſervance of Our Laws, rather the dutifull thanks of both Our Houſes, then the return of ſuch an Anſwer or Declaration as cauſeleſſely imputes to this Our ſo well intended and juſtifiable an act, not onely (upon miſconſtruction and miſapplication of ſeverall Acts and Declarations in Parliament) the tax of illegalitie, but alſo marketh it (upon the miſrepreſentation of divers Powers, and omiſſion of divers Limitations in our Commiſsion) with the brand of extreme danger, and inconvenience thereby to Our people, and of an heavier Yoke of Bondage then either that of the late Ship-money, or any other charge taken away this Parliament.

In all which, for the better and further ſatisfaction of Our well-affected people, and to ſave them (if poſſible) from incurring any danger either by obeying that Ordinance, or diſobeying Our Commiſſions, (in both which We are reſolved to require a ſtrict examination and account) We have taken the pains to examine the ſaid Declaration, and the Objections therein againſt Our Commiſſions.

And for the better underſtanding of the ſeverall particu-

lar

lar doubts which are now raiſed thereupon, We hold it neceſſary in the firſt place, to ſet forth the true end of theſe Commiſſions, with the ſeverall Powers and Limitations thereof, which by this Declaration are drawn into queſtion, together with the ſeverall miſrepreſentations thereof in this Declaration.

The Subjects being of three ſorts; Some having good eſtates and able bodies; Others, being of good eſtates, but impotent; Others, able of body but not in eſtate: And the ſervice required, being for the neceſſary defence of our Kingdome in generall in the time of danger.

The Commiſſioners are to cauſe thoſe of the firſt ſor, to Arm themſelves according to their degree and eſtate, (and ſerving in Perſon, they are not bound by this Commiſsion, to find Arms for any others.)

Thoſe who (having eſtates) are not able to ſerve in perſon, are to be aſſeſſed, and may be diſtrained to find Arms for others, according to the quantity of their Lands and goods; But with this Limitation, *Prout rationabiliter portare poterunt, & ſalvo ſtatu ſuo*; that is, *That they be charged but moderately, and ſo as they may live ſtill, according to their former condition.*

As for thoſe of the third ſort, who are not able to Arm themſelves, by this Commiſſion, as it was altered by common conſent in 5. *H.* 4. (for it was otherwiſe before that time) they are not (as to this matter of Arming) meddled withall.

And therefore this part of the Commiſſion, is miſrepreſented in the Declaration; Which ſuppoſeth a Power given by this Commiſsion, to charge all men, *without diſtinction*, with Arms, *at the diſcretion of* the Commiſſioners, without limitation; And thoſe that are able, *to find Arms*, and ſuch as are impotent, *to find men at Arms* according to the quantitie of their lands and goods; And alſo wholly omits the manner of the charging them, which is *to be moderately, and*

ſo as they may ſtill live, according to their former condition.

The Commiſſion having thus, with equality and indifferency, charged Our Subjects with proviſion of Arms, it further provides for their calling together, training and exerciſing, not (as it is in the Declaration) generally (*at the pleaſure of the Commiſſioners without reſtraint, either of time or place*) but that they ſhall be called together, *ad certos dies & loca quos videritis magis competentes & expedientes, & pro populo noſtro minus damnoſos*; *At ſuch times and places, as the Commiſſioners ſhall think to be moſt fitting and expedient, and leaſt hurtfull unto the people.*

And having thus provided, for the Arming and preparing Our Subjects, for defence of the Kingdome; In the next place, the Commiſſion gives power to the Commiſſioners, to lead them to the Sea-coaſt, or elſewhere, but not *at the pleaſure of the Commiſſioners* (as may be inferred out of the Declaration) nor *without Limitation* (though omitted alſo in the Declaration:) But the Commiſſion provides, That they are to be led to the Sea-coaſt, or elſewhere, *ubi ac quoties neceſſe fuerit ad inimicos noſtros expellend. debellend. & deſtruend. cùm periculum immineat*; *At ſuch times and places, as it ſhall be neceſſary for the expulſion, vanquiſhing, and deſtruction of Our Enemies, when there ſhall be imminent danger.* And it further provides, in another part of the Commiſſion, That they ſhall be conducted, *Cùm periculum imminuerit in defenſione regni & patriæ tam ad Coſteram Maris quàm alia loca ubi magis neceſſe fuerit, In caſe of imminent danger, for defence of the Kingdome and Countrey from time to time, as well to the Sea-coaſt, as other places where it ſhall be moſt neceſſary.*

And although notwithſtanding all theſe limitations and cautions, it be true, That in this charging of Arms, as alſo for the times and places of calling together Our Subjects, and of conducting or leading them, and the dangers upon which they are to be ſo conducted and led, much is left to

the

the diſcretion of the Commiſſioners (as it muſt of neceſſity in all Commiſſions, where the places, times and occaſions of execution of them depend upon future accidents and circumſtances, and cannot be certainly known or deſcribed at the time of the iſſuing of the Commiſſions) Yet nevertheleſſe it cannot be inferred thereupon, That therefore Our Commiſsioners have a mere abſolute arbitrary Liberty of Will to do what they pleaſe. But that if they ſhall willfully and unjuſtly grieve any of Our good Subjects, in exceeding or not obſerving Our Limitations or Directions, they are, by Law, clearly puniſhable by Indictment for the ſame: Nor are, or ſhall any of Our Subjects ſo grieved be without remedy or relief.

And to the end that every County, ſo farre as in Us lyeth, ſhould have cauſe to reſt the more aſſured againſt any evil uſage and abuſe, by this Commiſſion We have appointed for Commiſſioners, ſuch as have eſtates in the ſeverall Counties, and are perſons of Honour and Reputation, who are not onely engaged to all fairneſſe out of their own intereſt, but alſo in the concernment of their Poſterity, Kindred, Alliance, Friends, and Tenants, and the good affection of their Countrey, which to perſons of ſuch Condition as they are, is of a conſideration beyond their Fortunes; So that We hope their forwardneſſe in undertaking this trouble, for the publick defence, will occaſion in Our good Subjects, rather a willing Obedience unto Us, then the leaſt diſtruſt or jealouſie of any of them.

Having thus ſtated the ſubſtance of Our Commiſſion, and prevented that miſunderſtanding, which this Declaration might have elſe begotten thereupon; We (in the neceſſary juſtification thereof, and vindication of Our own Honour, againſt thoſe expreſſions in that Declaration, which ſo nearly do concern Us (under the Common name of Evil Councellours) as if We had violated Our Laws, even thoſe

ſo

ſo lately made; broken Our often Proteſtations of governing according to Law, and done that which would bring Our people into ſlavery) ſhall now joyn iſſue with Our two Houſes, in every materiall part of their Declaration, both in the conſideration of the pretended Danger, Inconveniency, and Illegality.

And herein firſt, for the pretended Danger, and Inconveniency ſo much urged; We do deny,

That this Commiſſion is full of Danger, or Inconveniency to Our Subjects, or will bring an heavier Yoke of Bondage then the Ship-money, or any other illegall charge, taken away this Parliament; or indeed, any Danger or Inconvenience at all.

And therein We appeal to each good mans conſcience and reaſonable underſtanding, In a Kingdome (as this is) which in its fundamentall policy (as well for its own aſſurance, againſt the danger of Forein Aids, as the bad uſe that might be made of great conſtant Forces, (whether forein or native) muſt neceſſarily be defended by it ſelf: What other way of defence can be imagined but by the Subject? What more reaſonable proportion of charging them can be found? Wherein can the Limitation of the (otherwiſe Arbitrary) Diſcretion be bettered? Or how, in any one particular, can a more equall and fitting way be taken for the avoiding the grieving Our good Subjects in their own particulars? Yet withall providing for the defence of Our Kingdome in the generall, then is by this Commiſſion?

And We cannot but profeſſe Our Wonder, That ſince (as We ſhall ſhew) this very Commiſſion, was with ſo much care, both in reſpect *of the Commiſsioners* and *the powers of execution thereof, over the perſons to be commanded*, allowed & ſettled in all points, to the very deſires of the people (and that in Parliament) in the fifth yeare of King *H.* 4. how ſuch Danger, Inconvenience, and Bondage can be by Our two Houſes imagined in this act of Ours, without violating that

that rule ſo often urged by them (though not ſo properly applyed to them without Us) That a diſhonourable thing ought not to be imagined of the Parliament. And it is as ſtrange to Us, that all this ſhould happen by this Commiſſion, and yet that Our Subjects ſhould, for ſo many years paſt, have enjoyed ſo many happy dayes in the reigne of Queen *Elizabeth*, and Our Father, both of bleſſed memory, under the proviſion of *Lieutenancy*, which is agreed by this Declaration *to be little differing* from thoſe of the Commiſsion of Array *in the Powers*.

And laſtly, We demand, Whether the perſons appointed over the *Militia* by Our Houſes of Parliament, have not, by their pretended Ordinance or Orders, moſt of thoſe powers; nay, ſome greater over the Subject, in this matter of the *Militia*, then are in this Commiſsion? and how they themſelves can imagine theſe powers to be of a better nature by their authority, then they are by Ours?

And as to this tax of danger and inconvenience, as in the generall it did require no anſwer at all, (though for the ſatisfaction of Our people, We have therein thus inlarged Our ſelves) ſo for that particular of the Yoke of Bondage thereby, in making it heavier then that of Ship-money, ſince they have not ſhewed in what particulars, We ſhall ſay no more but this, That by this Commiſſion *no money* at all comes to Us or to our diſpoſe, nor is any money appointed to be *raiſed*, but onely *Arms provided*: And the *Arms* which Our Subjects are charged to *bear* or *find*, are to be their *own* proper goods (which Sir *Richard Hutton*, in his Argument in print againſt the Ship-money, well obſerved, and thereby differenced the providing of Arms and payment of Ship-money) and are provided *once* for all, and not *yearly* to be renewed as taxes for money might be, and remain in their *own cuſtody*, and for their own defence as well as Ours.

We ſhall now proceed unto the next generall iſſue, touching the pretended illegality of Our Commiſſion of Array, & ſhall juſtifie the legalitie thereof by *Common Law* and by the *practice* of former Ages conform to it, and by *Statutes* in the very point againſt all the ſeverall pretences mentioned in the Declaration, whereunto We ſhall give particular Anſwers.

And We ſhall firſt begin with the Common Law, whereunto the Declaration ſaith this Commiſſion is contrary; and therein affirm,

That this Our Commiſsion is warranted by the very fundamentals of Our Government, and (as We ſaid in Our late Proclamation) the right of iſſuing thereof is inherent in Our Crown.

For ſince (as We hope none will deny) the Kingdome muſt of neceſsity be ever in readineſſe (in time of danger at leaſt) by power of Arms to prevent or ſuppreſſe Rebellion at home, and Invaſion from abroad; and to that end the Subject muſt be armed and prepared before hand, and conducted after, as there ſhall be occaſion; and that this cannot be done without a Command or Government, We deſire much to know in whom, out of Parliament, (for Parliaments are not alwayes, nor can be called at all times, or meet on the ſudden) this power can be, but in Us as the Supreme Governour; (as it is in all other States, be the perſons of the Governours one or more, according to the form of each State) and can the Supreme Governour, according to his duty, and Our ſelf more particularly, according to Our Oath, otherwiſe afford Our people that protection which is due unto them in maintaining to them the Laws in the matter of Propertie and Libertie againſt private injurie or oppreſsion, As well as Our Self, and them, and whatſoever is dear unto any of Vs againſt Enemies or Rebels, eſpecially the juſt Rights and Prerogatives of Our Crown wherewith God hath truſted Vs (according to the fundamentall and well-eſtabliſhed policie of Our State) as well for the peoples good

good as Our own honour, both which muſt be preſerved; And will any man ſay that by calling of Our Parliament, (which is but a meeting of Vs and our Subjects (and ſuch they continue as well collectively in the two Houſes, as they were before ſingly) and a meeting in its own nature diſſolvable at our pleaſure; and though now enlarged by Vs in Time, yet not in Power) We are grown leſſe or departed with any thing to them either by way of abdication or communication of Our Royall Power? This upon the common principles of Reaſon and Government is ſo obvious to every man, that We ſhall, for the preſent, proceed no further therein either by quotations of Acts of Parliament, or other legall authorities (ſome whereof We have recited in Our late Proclamations) till Our two Houſes ſhall give Vs ſome juſtifiable inſtance of ſome good time to the contrary.

We come next to the continuall practice by Vs alledged (being alone ſufficient to declare an originall fundamentall Law of Our Kingdome, or at leaſt by a tacit conſent to introduce a Law) and to this purpoſe We ſhall ſhew that the power of *granting Commiſſions for the defence of the Kingdome* in the generall, whereunto onely We applied and do applie the opinions of Sir *Richard Hutton* and Sir *George Crook* (not meaning therein, as neither in Our Proclamation (as is clearly miſtaken) the preſent form ſettled by 5. *H.* 4. (which We Our ſelves declared was made upon alteration) though for the ſubſtance thereof We might have ſaid ſo much, and made it good, as it appears by the Marginall Quotations) is warranted by the preſidents in former Ages.

See the printed Arguments, fol. 25. 64. &c.

See 14. H. 3. in the printed Argument of Sir George Crook: *a Commiſſion to the Biſhop of* Rocheſter *and others, and to the Sheriffe of* Kent, *to cauſe all men at arms in that County to be ſworn, and to aſſeſſe them what arms they ſhall find. And divers other preſidents there of Arrays in the times of ſeverall Kings. And ſee* Cl. 14 H. 3. m. 15. Dorſ. *the like to other Counties. And* 36. H. 3. *(as appears in the Hiſtorie of* Matth. Paris *who lived at that time, Fol.* 864) Rex conſtituit & generaliter per Angliam voce præconiâ fecit acelamari miſſis ſuper hoc brevibus ad ſingulos Comitatus ut *ſecundùm priſtinam conſuetudinem* arma civibus competenter aſſignarentur & monſtrarentur & cenſerentur ut eſſent ſufficientia & competentia ſecundùm cujuſlibet facultates. *The King cauſed Proclamations to be made*

made (for in ſuch caſes Proclamations declaratorie were not conceived in theſe times to be illegal) and ſent Writs into all Counties of England, *That* (according to ancient cuſtome *arms ſhould be competently aſſeſſed (or appointed) for the people: And that they ſhould be (muſtred) or ſhewed and inrolled, that they might be ſufficient and competent according to every mans eſtate. And ſee Pat.* 48. *H.* 3. *M.* 3. *Dorſ. & m.* 7. *Dorſ. Cl.* 23. *E.* 1. *m.* 5. *Cl.* 25. *E.* 1. *m.* 17. *Dorſ. in cedul. perdent. Pat.* 31 *E.* 1. *m.* 20. *Cl.* 16. *E.* 2. *part.* 1. *m.* 13. *Dorſ. Pat.* 18. *E.* 2. *m.* 32 *and Rot. Vaſcon.* 18. *E.* 2. *m.* 4. 10. 27. *Cl.* 7. *E.* 3. *part.* 1. *m.* 25. *Rot. Scot.* 10. *E.* 3. *m.* 8. *Franc.* 26. *E.* 3. *m.* 5. *Cl.* 44. *E.* 3. *m.* 22. *Scot* 7. *R.* 2. *m.* 9. *Franc.* 10. *R.* 2. *m.* 24. *pat.* 1. *H.* 4. *part.* 2 *m.* 10. *Dorſ. And after the Parl. of* 5. *H.* 4 *See pat.* 7. *H.* 4. *part.* 2. *m* 31. *Dorſ.* 11. *H.* 4. *part.* 2. *m.* 24. *Dorſ. Pat.* 5. *H.* 5. *Part* 2. *m.* 37 *Dorſ. Pat.* 8. *H.* 5. *m.* 17. *Dorſ. Pat.* 34. *H.* 6. *m.* 8. *Dorſ. Pat.* 9. *E.* 4. *part.* 1. *m.* 1. *Dorſ. Pat.* 12. *E.* 4. *part.* 1. *m.* 13. *Dorſ. And very many more Commiſſions of Array in the ſeverall reignes of theſe Princes. See* Lam. *fol.* 135. *A Law of King* Edward *the Confeſſour.* Debent enim univerſi liberi homines, &c. ſecundùm feodum ſuum, & ſecundùm tenementa ſua arma habere & illa ſemper promta conſervare ad tuitionem Regni & ſertium Dominorum ſuorum juxta præceptum Domini Regis explendum & peragendum. *And* lib. Rubr. Scaccarii fol 162. *the Conquerours Law in theſe words*, Statuimus & firmiter præcipimus quòd omnes Comites & Barones, & Milites, & Servientes, & univerſi liberi homines totius regni noſtri præd. habeant & teneant ſe ſemper in armis & equis ut decet & oportet, &c. *Upon both which it appears, that every man, as well as the Kings Tenants, ought to have Arms according to his lands, for defence of the Kingdome, at the Kings command. And* Hoveden, pag. 4. in Anno 27. H. 2. Deinde Henricus Rex Angl. fecit hanc aſsiſam de habendis armis in Anglia, &c. *King* Henry *the ſecond made an aſſiſe of Arms for Defence of the Kingdome according to difference of mens abilities, farre differing from that in* 13 E. 1. *And ſee* Matth. Paris, 224 *A Writ of* K. John *to ſummon* Omnes liberos homines & ſervientes vel quicunque ſint & quocunque teneant, qui arma habere debeant vel arma habere poſſint, quod ſicut, &c ſint apud Everam ad defendendum caput noſtrum, &c. ſub pœna Culvertagii.

And this practice, the Penner of this Declaration doth indeed not deny; for having before confeſſed the often iſſuing of Commiſsions of Array, after 5. *H.* 4. in the times of *H.* 4. *H.* 5. and *H.* 6. (and he might have brought it to later times, if he had ſo pleaſed) he doth afterwards confeſſe, That divers Commiſsions of Array iſſued in divers Kings reignes before 5. *H.* 4. But as to this point of practice before 5. *H.* 4. he ſaith by way of Anſwer, That for the moſt part they were warranted by particular Acts of Parliament. And yet amongſt ſo many preſidents of ſeverall Commiſsions, he gives inſtances onely of two years in 13. & 14. E. 3. of Commiſsions of Array then iſſued, warranted by Act of Parliament. Which, if true, doth no more diſprove the legality of other Commiſsions of Array, conſtantly iſſued without a Parliament, then it doth of Commiſsions of Oyer and

Rot. Parl. E. 13. 3. *P.* 2. *N.* 39. *Rot. Parl.* 14. *E.* 3. *P.* 1. *N.* 53.

and Terminer, (which at the ſame time in 14. E. 3. together with the Commiſſions of Array were appointed to iſſue to the ſame perſons) or of any other Act, which the King doth by the advice of his Parliament, though he may do it without them: Rather it implyeth the legality, and the former uſage of ſuch Commiſſions of Array, in that it appoints ſuch Commiſſions to iſſue, but limits not all the particular Clauſes or Powers to be inſerted therein as a thing known and uſuall to be done.

But the truth is, both the preſidents do concern the drawing of men out of the Kingdome to a forein War; and ſo are nothing to the purpoſe We have in hand. And that of 13. E. 3 is not at all a Commiſsion of Array, but of another nature, giving power to the Lord *Wake*, and others to provide moneys, and to cauſe certain perſons there named, who had particularly undertaken the Service of the *Scottiſh* wars, *Leur arraier & appareiller d'aller vers Newcaſtle. To array and prepare themſelves to go to Newcaſtle*, (whither they were to be brought at the charge of the Counties) and to be there at a time appointed.

Having thus ſet forth the continuall practice of iſſuing forth Commiſſions of Array in former ages (whereunto We never found, till now, any exception, as for *home-defence*) and the abſolute neceſſity thereof, We doubt not but every indifferent Judgement will eaſily conceive, That this power is a right in us by the Common Law, and the rather, when they ſhall conſider, That a Commiſſion of Array having been iſſued by the King in 5. H. 4. The Commons in Parliament, that yeare, did not except to any part thereof *as illegall*, no, not to the Clauſes, which ſeemed heavy over the Commiſſioners; nor did except at all *to any the powers of execution thereof over the perſons to be commanded*, but did acknowledge the Royall aſſent, for the amendment and alteration of that Commiſſion into the now preſent form, to be an Act of *great grace*.

And herein We cannot but admire that the Penner of this Declaration ſhould urge it as a reaſon why the Commons in that Parliament of 5. *H.* 4. complained not for relief againſt the Commiſſion in the powers of execution over the perſons to be commanded, becauſe (as he ſuppoſeth) they knew that they were ſo clearly againſt the late Statute of 4. *H.* 4. Whereas (if it had been ſo) they ſhould the rather have complained, becauſe they iſſued againſt ſo late a Statute ſo clear in the point, (unleſſe the policy and temper of the times be ſince much altered) for in a matter of ſo high a nature as the powers of this Commiſſion, which (as this Declaration confeſſeth) did ſurely moſt concern them and the Kingdome, They were bound, as well in duty, as diſcretion, to have ſought remedy againſt ſo great a violation of the Law and Liberty, and the rather at this time, when they thought fit to petition againſt part of the Commiſſion, ſince an exception but to a part, eſpecially by him who ought to complain againſt the whole, is a violent preſumption of his allowance of the reſidue.

We come now more particularly, to the examination of this Our Commiſſion as it ſtands by Statute-Law, and herein (as in the matter principally inſiſted upon in the Declaration to be diſproved) We do affirm, as formerly in Our Proclamation;

That this Our Cõmiſsion is warranted by Parliament, in 5. *H.* 4

And to this purpoſe, We do obſerve; that this Declaration, doth confeſſe; That the Record in the Parliament of 5. *H.* 4. concerning the Commiſsion of Array, is an Act of Parliament; And that the Queſtion is now, onely about the meaning thereof, Whether the Parliament meant thereby, onely to take away *ſome penall Clauſes touching the Commiſsioners*; (as the Declaration affirms, to which purpoſe, onely it alloweth it for an Act) or elſe to ſettle alſo *the Powers of Execution thereof, over the perſons to be commanded*, as we affirm.

And

And therein (as We do agree) that at the firſt, the Complaint of the Commons, was onely in reſpect of *ſome Clauſes and Words therein, which were Grievous, and Dangerous to the Commiſsioners.* So it cannot be denyed, but that afterwards the Copie of the Commiſsion ſo Complained of, was *delivered* by the King to the Commons, with an expreſſe Generall Liberty (without any reſtraint) to correct it *according to their own minds*, and thereupon the Commons did make uſe of that further Liberty, and corrected the Copy in divers materiall *Clauſes*, and Words which concerned *the Powers of Execution*, as well as thoſe, which concerned *the Commiſsioners* (though the contrary be ſtrangely affirmed by the Penner of this Declaration) as may appear more particularly by the Clauſes following, wholly omitted by him.

1 Firſt, the Copie gives power, *ad armari faciend. omnes illos qui de corpore ſunt potentes & habiles ad armand. tam illos qui de ſuo proprio habent unde ſeipſos armare poterunt, quàm illos qui non habent unde ſeipſos armare poterunt. To cauſe to be armed, all thoſe who have of their own whereby to arm themſelves, as well as thoſe, who have not wherewith of their own to arm themſelves.* Which laſt Clauſe, concerning the Arming of thoſe, who are able of Body, but not in Eſtate (being ſuch as are by Us before reckoned amongſt the third ſort of Our Subjects) is wholly omitted in this Commiſſion, as it now ſtands corrected in 5. *H.* 4.

2 The Copy, as concerning the aſſeſſing, and diſtraining of all thoſe who are able in their Eſtates, but not in their Bodies, goes therein thus, *Ad inveniend. juxta quantitatem terrarum & bonorum ſuorum, & prout rationabiliter portare poterunt, ſalvo ſtatu ſuo, armaturas hominibus ad arma, & hominibus armatis, & arcus & ſagittas ſagittariis ſic arraiatis & triatis, qui non habent armaturas arcus & ſagittas de ſuo proprio, nec unde armaturas arcus & ſagittas emere & providere poterunt, & ad contribuend. expenſis omnium illorum qui ſic laborabunt pro*

defenſione

defenſione dicti Regni noſtri, tam infra dictum Com. noſtrum quàm extra, quandocunque indiguerit; Ità quòd illi qui morabuntur, &c. For the finding of Arms according to the quantity of their Lands and Goods, and as they may reaſonably bear, ſaving their degree, for men at Arms, and men Armed; and Bows and Arrows for Archers ſo Arrayed, and trained, which have not Arms, Bows and Arrows of their own, nor have wherewith they can buy and provide Arms, Bows and Arrows; and to contribute to the expences of all thoſe which ſhall ſo labour for the defence of Our ſaid Kingdome, as well within that Our County as without, whenſoever there ſhall be need. All which, as may appear upon the comparing, is much beyond that Commiſsion of 5. *H.*4. as it was entred after the correction.

Upon theſe proceedings in 5. *H.*4. the corrected Copy being preſented to the King, with a Prayer by the Commons; *That from thenceforth forward, no Commiſsion of Array, ſhould iſſue otherwiſe, nor in other Words, then was contained in the Copie ſo corrected, &c.* An Act was thereupon, made by the Kings Royall aſſent thereunto, by the advice of the Lords.

And thus upon the whole Record it is clear, That in the literall Senſe the Commiſsion is fully enacted in the whole; and We do not obſerve that to be denied in the Declaration. And the Art of the Penner ſeems to be ſpent onely concerning the intent of the Parliament in labouring to prove, That the Commons meant nothing in the Act, but the taking away the penall clauſes and words concerning the Commiſsioners. And the Argument is drawn onely from the end of the Statute, which the Declaration ſaith was onely for the ſecurity of the Commiſsioners: And this the Penner goes about to prove: Firſt, From the Complaint, as being no more; Secondly, From their amendment of the Copy, as being onely concerning the Commiſsioners; Thirdly, From the Prayer, being to the ſame purpoſe; Fourthly, Out of the occaſion, as ſuppoſing the Act neceſſary, on the part of the

the Commiſſioners, not on the part of the perſons to be commanded. Laſtly, out of the ſubſequent practice of iſſuing Commiſſions, that there never went out one agreeable with the Copie ſo corrected.

And herein, to juſtifie this Our ſenſe on this Act of Parliament of 5. *H.* 4. and withall to ſhew the Errours and miſtakes of the Declaration in the frame of the Argument to the contrary; the ſtate of the Caſe ſtands thus briefly.

The Commiſſioners complained but againſt the Penall Clauſes upon the Commiſſioners (which We agree) at firſt; but afterwards, the King left them at libertie to correct the whole, as they pleaſed. And now they alter their mind, and do not reſt in correction of thoſe Penall Clauſes upon the Commiſſioners, according to their firſt deſire, but (as it is plain upon the compare of the Copie, as it was corrected, with the Commiſſion formerly iſſued, the not obſerving whereof was the great miſtake that doubtleſſe now miſ-led Our two Houſes) the Commons likewiſe (as wiſe men) who would not wave the advantage of a proffered favour from the King, did correct the Commiſſion alſo in the Powers of execution over the perſons to be commanded: And thereupon the corrected Copy being preſented, and the Commons expecting that even preſently (for there was then occaſion) and often afterwards Commiſsions of Array would (as they did in truth) iſſue forth, did pray not onely for the indemnity of the Commiſsioners, which had been indeed but anſwerable to the firſt complaint; But in the firſt place, they made their Prayer in theſe Words, *That from thenceforth forward, no Commiſsion of Array ſhould iſſue otherwiſe, nor in other Words then is contained in the ſaid Copie* (ſo corrected.)

This now being apparently the true ſtate of the whole caſe (cleared from all miſtakes) we think it ſo plain, that it requireth no further Argument to manifeſt, That the intenti-

on of the Parliament, was both to ſettle the Clauſes, concerning the Powers of execution, and the Clauſes concerning the Commiſsioners. Thus then We paſſe over to the Anſwer of the Objections.

Firſt then, for the firſt pretence, That the Complaint was ſolely on the behalf of the Commiſsioners, We agree it to be true, and perhaps the Commons had no further thought at the beginning, nor till after an occaſion given by the offer of the Liberty for a Totall reformation: But then they might deſire an alteration accordingly.

For the ſecond pretence (which deſtroyed, makes an end of the queſtion) That the Commons made no amendment in the Powers of execution over the perſons to be commanded; It is apparently miſtaken, as appears by the particular inſtances before mentioned.

For the third pretence of the Prayer, (which came not till after the Commiſsion was in all points ſo as before corrected) That the Commons did not deſire any amendment or Declaration concerning the Powers of execution, that is alſo miſtaken; For having made thoſe ſeverall amendments, in the very firſt place (before any particular deſired on the behalf of the Commiſsioners) their Prayer is as generall as their amendments, *That from thenceforth forward, No Commiſsion ſhould iſſue otherwiſe, nor in other words, then is contained in the ſaid Copie.*

For the fourth pretence, That it was unneceſſary to take care of the perſons to be commanded, becauſe that the Powers of execution over them were againſt 1. *E.* 3. *cap.* 5. 25. *E.* 3. *cap.* 8. & 4. *H.* 4. *cap.* 13. and that the Commiſsions of that kind, were then ſo lately damned in 4. *H.* 4. We Anſwer, That if it were ſo, there was the more neceſsity for them to complain, as we have ſhewed before. But in this alſo, though it be needleſſe, We ſhall herein further clear Our Commiſsion from thoſe ſtatutes.

As

As for the occaſion of relief for the Commiſſioners more then for the perſons to be commanded, We ſay, the Commons could not but know, that there was no more occaſion for the one, then for the other: For the ſame Law of 4. *H.* 4. if it had (as is pretended by the Declaration) expreſly damned the Commiſſion as unlawfull in the Powers, that (without more) had apparently, to every common Judgement, ſufficiently ſecured the Commiſſioners againſt all refuſals; And in truth, the perſons to be commanded, being moſt of them of the lower ſort, had more reaſon to fear the Commiſſioners, then the Commiſſioners, being men of Power, had to fear any trouble by Fine or Impriſonment, or otherwiſe, from any of the Courts above, eſpecially in a time when Parliaments were ſo frequent.

For the laſt pretence of contrary practice, Our Anſwer is, Firſt, We deny this (which the Declaration affirms) That though many Commiſſions of Array did iſſue out after 5. *H.* 4. yet none of them did agree with it in words and matter: For We ſay, That divers Commiſſions were the very ſame ſaving in thoſe things which were neceſſarily, and as of courſe, to be changed, as (amongſt others) may be ſeen in the after-times of King *Henry* the fourth. *See Pat. 7. H. 4. part. 2. m. 31. Dorſ. Pat. 11. H. 4. part. 2. m. 24. Dorſ.*

And as unto the pretended contrary practice, We agree, that it is true, Divers Commiſſions of Array did iſſue out, which do vary from this Statute of 5. *H.* 4. yet We deny that they muſt be therefore contrary to it; For (howſoever upon the Commiſſion of 5. *H.* 4. as it was corrected in the ſeverall Clauſes in ſuch manner as before) it is enacted that from thenceforth forward no Commiſsion ſhould iſſue out otherwiſe then is contained in that Copie, yet it is moſt evident, notwithſtanding, that the meaning of the Law could never be to tye the King to the very words of that Copie; For then at all times the Commiſsions muſt have begun with *Rex &c.* and not *Carolus* or *Regina.* and ended with the ſame

Teſte for Time and Place, and juſt the ſame *preamble* of danger, be it true or falſe (whatſoever other occaſion had been) muſt have been meant to be expreſſed; All which are abſurd. And in this, as in all Acts of Parliament, as well as in Wills, the intent clearly and neceſſarily appearing out of the Act it ſelf, is the Law, which in this caſe was not ſo much to tye to the very identicall words, as *That the King ſhould not iſſue out any Commiſſions of Array which ſhould exceed this which was ſo ſettled by any further penalty on the Commiſſioners; nor in the Powers of execution upon the Perſons to be commanded*; which ſenſe appears in this, that in ſuch a caſe it could never have been meant, That the Powers of execution of the Commiſſion, being ſeverall, as to Array, Aſſeſſe, Arm, Train, Muſter, and Conduct, and all theſe not neceſſary on all occaſions, nor all alwayes equally fit to be entruſted to the ſame perſons, That the King ſhould be bound at all times unneceſſarily to command the execution of them all, and equally to entruſt the ſame perſons with them all, as he muſt have done in caſe the Act had been literally to be expounded in each tittle.

The truth is, many Commiſſions did vary, yet ſtill were warranted, as not exceeding that of 5. *H.* 4. in the powers. As ſometimes granting but part of them when there was no cauſe to uſe all; as alſo, ſome varied on the occaſion, as ſometimes providing againſt an invaſion, in this or that part onely, ſometimes more generall throughout the Kingdome: And laſtly, it is true that ſome were upon occaſion of rebellion, for which there is as much cauſe as againſt a forein enemy, for thoſe Commiſſions are not againſt 5. *H.* 4. which was a preſident, onely for the power of execution of Commiſſions of Array (whatſoever might be the neceſſary occaſion to iſſue them.) And as this particular Commiſſion ſent forth in 5. *H.* 4. and thus after corrected, was on the occaſion of the fear of the *French*, and therefore was upon that acci-

accident, made onely as againſt an Enemy; ſo if according to former practice the like had then iſſued in caſe of Rebellion (in which caſe perhaps Rebellion had been mentioned as the cauſe) then the ſuppreſsion of Rebellion might have been inſerted in this preſident, and then the Argument might have been at this day uſed as well againſt the warrantableneſſe of this Commiſsion in caſe of Invaſion.

And as to the preſident of a Commiſsion of Array in 6. *H.* 4. cited in the Declaration as not agreeing with that of 5. *H.* 4. neither in words or matter, We conceive it is in ſubſtance warranted by it: For there the King (upon occaſion of the *French* being in *Piccardy*, ready to beſiege ſome of his Forts there, and hearing that they intended to come to aid the *Welch*, being then in Rebellion) ſends out his Commiſſions into *Kent*, *Somerſet*, and other Counties, to Array, Train, and Arm the Inhabitants there, to the end they may be ready, as well *at the Sea-Coaſt as elſewhere, where and as often as there ſhall be neceſsity for the expelling, vanquiſhing, and deſtroying of thoſe enemies when there ſhall be imminent Danger, as in ſuch a caſe had been accuſtomed.* But he thinks not fit to give to them the power of conducting them (which is in the Commiſsion of 5. *H.* 4.)

But ſhortly after, upon information of an intention of the *Welch* to enter into *England*, a commiſsion iſſues to Sir *Thomas Barkley* touching ſome of theſe Counties & others, not, to Array and Arm the Inhabitants, for that was done before, but, *ad ſupervidendum*, to ſee that they were ſufficiently Arrayed, according to their eſtates; and to lead them, as often as it ſhould be needfull for reſiſtance of the Rebels.

So that as We conceive, the Powers which were put together in 5. *H.* 4. are here ſevered, but there is nothing in either Commiſsion which exceeds or croſſes he Powers ſettled by the Commiſsion of 5. *H.* 4. Though if it did, it might prove the illegality of thoſe, but nothing againſt the legality of Our Commiſsions.

And if other particular Commiſsions had been produced, and the differences particularly obſerved, We ſhould have been the better able to have applyed Our Anſwer thereunto; And in the mean time, We look upon all ſuch Commiſsions, as regulated and warranted by this Act of 5. *H.* 4. and in purſuance thereof.

Notwithſtanding, if ſome Commiſsions can be produced, which are not warranted by 5. *H.* 4. Yet that will be no ſufficient Argument to prove, That this of 5. *H.* 4. never meant to ſettle the Powers of Execution, for there is no doubt, but in ſo long a proces of time, as ſince 5. *H.* 4. there may have been ſome deviations contrary unto the Act, the ſame having not at all times been remembred, as perhaps alſo may be in the Clauſes concerning the Commiſsioners, which yet We are ſure Our two Houſes will not allow as an Argument againſt the force of 5. *H.* 4. as allowing it to be an Act concerning them.

We might further adde the opinion of Sir *Edward Cook*, (whoſe great learning and affection to the Rights, and Liberty of the Subject are not unknown) who in his Treatiſe of the Juriſdiction of Courts (being one of thoſe Books ſince this Parliament deſired, or directed by the Houſe of Commons to be publiſhed) expreſly declares, That this Act, touching a Commiſsion for Arraying and Muſtering of Men, is at this day of force.

Juriſdiction of Courts, cap. Court of Chevalry.

But if any man be yet unſatisfied with ſo clear Reaſons on Our part, and in Our Anſwers, We ſhall conclude upon him with the authority of the whole Parliament of 7. *H.* 4. *Rot. Parl. n.* 36. within two years after this Our Commiſsion was ſettled, when probably many of the ſame perſons were Members of both the Parliaments: Whereby it appears that this Act of 5. *H.* 4. is ſo binding as *unto all the Powers of execution over the perſons to be commanded*, that the Clergie (who in former times had uſed to be Arrayed amongſt themſelves by Writ

Writ or Commiſſion to the Biſhop or Archbiſhop) were bound, as within the body of that Commiſſion ſo ſettled by Parliament. And they thereupon, in that very Parliament of 7. *H.* 4. are excepted out of this very Commiſſion of. 5. *H.* 4. which is therein mentioned, and it was then enacted, *That from thenceforth the Clergie be not any wayes charged amongſt the Laity for the making of any ſuch Array, nor for any Contribution amongſt the Laity for the ſame.*

Having thus clearly ſettled this Record of 5. *H.* 4. as a full Act of Parliament, as well concerning the Powers of Execution over the Perſons to be commanded, as the taking away of the Penall Clauſes over the Commiſſioners, there is no further neceſſity, as to the matter in queſtion, to conſider whether or no that this Commiſſion in all or any part thereof be contrary to any of the former Acts of 13. *E.* 1. 1. *E.* 3. *cap.* 5. 25. *E.* 3. *cap.* 8. & 4. *H.* 4. *cap.* 13. ſo much inſiſted upon in the Declaration. For that in ſuch caſe, the Act of 5. *H.* 4. being the latter had been a Repeal of them for ſo much.

Nevertheleſſe, for the further ſatisfaction of Our people (as being deſirous to omit nothing which may be done on Our part for the clearing of the juſtice of Our Actions) We ſhall alſo examine thoſe Statutes ſo farre as they are made uſe of in this Declaration.

And therein We profeſſe the difficulty hath been more to find out then to anſwer the inference made upon theſe Statutes. For the Declaration reciteth the Statute of 13. *E.* 1. to be a particular Aſſiſe (or Aſſeſſement) of Arms, both in reſpect of the *Kind of Arms* to be found, and the *proportion of the eſtate* of every man, after which they are to be found, downwards from 15. pounds in Lands and 40. marks in Goods: And reciteth the Statute of. 1. E. 3. *That no man from thenceforth ſhall be charged to arm himſelf otherwiſe then he was wont in the time of the Kings Progenitours; and that no man be compelled to go out of his Shire, but where neceſſity requireth, and ſudden*

ſudden coming of ſtrange enemies into the Realm. (whereupon it is taken for granted, That the Statute of 13. *E.* 1. was a proviſion of Arms for defence extraordinary, and that this Statute of 1. *E.* 3. was meant with reference thereunto) And alſo reciteth the Statute of the 25. yeare of *E.* 3. (as to be to the ſame effect with the former) againſt *the conſtraining of men to find men of Arms, Hoblers, or Archers, without conſent and grant made in Parliament*; And laſtly, reciteth the Statute of 4. *H.* 4. (which confirms thoſe two Statutes of 1. *E.* 3. and 25. *E.* 3.) And immediately thereupon makes this concluſion which follows; *That by theſe Acts* (not diſtinctly applying the ſeverall matters to the ſeverall Statutes) *it clearly appears, That the King could not, by the Law, give power to impoſe Arms upon the Subjects* (which the Declaration calleth ſometimes finding of Arms, ſometimes finding men at Arms, all of different ſenſes) *or to compell them to be drawn out of their Counties:* Which afterwards, in Stating the Caſe, is expreſſed thus, *That the Subject was not compellable to find any other Arms then was declared by thoſe Statutes, or to go out of their Countie, but in caſe of Actuall Invaſion by Forein enemies.* Againſt which this Commiſſion is ſaid to be.

But for our clearer paſſage in this buſineſſe, We ſhall ſingle out the ſeverall Statutes, with the Objections (as We conceive) intended upon each of them.

For the better underſtanding whereof, We ſhall diſtinguiſh of the principall Terms in this queſtion uſed in the Commiſsion and ſeverall Acts of Parliament.

Firſt then, as for the words of *Arming a mans ſelf* uſed in the Commiſſion (as alſo in the Act of 1. *E.* 3.) they are literally to be taken for the *providing of Arms for a mans own perſon*, wherewith he is to ſerve as a Souldier, either Horſeman or Footman, of what kind ſoever; And the *finding of Arms for others* in the Commiſſion, is but the finding the *bare Arms*, without providing the men, and are ſo to be taken here

here, (in whatſoever ſenſe they may be taken elſewhere) as may clearly appear upon the very reading. And as for the words, (*finding of men of Arms, &c.*) which are the words uſed in the Statute 25. E. 3. they are uſually and properly enough taken for the ſetting forth of Souldiers, the paying of their wages, or contributing towards either of them.

This then being the ſenſe of the words, We now proceed to the Statutes: And apply them to the two Objections, the one againſt impoſing Arms, the other againſt carrying out of the Countie. And firſt concerning the Statute of 13. E. 1.

Thereupon the Objection againſt the Power of impoſing of Arms is this.

This Statute appoints a particular Aſſize for the Kinds of Arms and Proportions, as before. But our Commiſſion doth give power to aſſeſſe for the kinds, *any Arms*, and for the proportions, *according to each mans ability*, (which the Declaration terms to be *without limitation* and *at pleaſure*) and ſo is contrary to this Statute.

To this We Anſwer; That that Statute of 13. E. 1. (beſides that it is but an affirmative Statute) was made onely for the *ordinary* defence of the Kingdome, for the *preſervation of the peace* at ordinary times; and was not intended as a proviſion of Arms for *defence extraordinary*: but that for the publick defence in time of Danger, the King might, and muſt charge other Arms, and other proportions, according to the exigency of the occaſion.

Both which appear together, if We conſider that the proviſion in that Statute mentioned (which might be of uſe for the Peace) is very inſufficient for the Service of Warre: For We cannot but obſerve the pettineſſe of the Arms, even according to the uſe of that time, for he that was rated higheſt by that Act, was to find but a *Hawberg* (which in that place ſignifies a Gorget) *a breaſt-plate of Iron*, *a Sword*, *a*

 Knife

Knife, and *a Horſe*: and others but *Giſarms* (which were Pikeſtaves) *Knives*, and other leſſe weapons. And yet at that time there were *men* at *Arms*, which were Horſemen of compleat Armour, *Hoblers*, which were Light-horſe, and there were *Pikes*, *Launces*, *Pole-axes*, and other weapons commonly uſed for warre.

And no leſſe conſiderable is it to this purpoſe, That for the charge of this defence no man of what eſtate ſoever, is by this Act charged above the rate of 15 *pounds in Lands*, or 40 *marks in Goods*, and he that hath 15 pounds in Land, or 40 marks in Goods is charged as high as the greateſt: which is not to be imagined in caſe of proviſion for defence extraordinary.

And to clear this further out of this, and other Acts; it is plain, that this very Act expreſſeth it ſelf in theſe words, *That every man have in his houſe Harneſſe for to keep the peace*: and appoints thoſe who are thereby aſſeſſed to purſue Hues and Cries after Theives and Robbers, (which went in thoſe times with great ſtrength, and in multitudes *with their Horſes and Armour*. And the old Articles of inquiry upon that Statute, being made in the ſame Kings reigne (and to be ſeen in the Statute-books) tend onely to inquiry touching the keeping the peace: as whether all men betwixt the age of fifteen and ſixty be ſworn to keep the peace, and whether they have weapons in their houſes according to the quantity of their Lands and Goods for *conſervation of the peace*, according to the Statute. And the Statute of 2. E. 3. *cap.* 6. renews this Statute of 13. E. 1. in theſe words: *Item, As to the keeping of the peace in time to come, it is ordained and enacted, That the Statutes made in time paſt, with the Statute of* Wincheſter *ſhall be obſerved and kept in every point*. And ſtrange it were to imagine, that the wiſdome of a Parliament, in the matter of arming the Subject, made no greater or better proviſion againſt an *enemie*, then againſt a *Thief* or a *Rogue*. And it is not ſo proper

proper to charge the Subject at all times in the ſame manner and proportions as in times of danger.

And laſtly, for further clearing this Our expoſition of that Statute of 13. E. 1. we ſay, That although (as We have already ſhewed) the Commiſſions of Arrayes did, from the time of making the Statute of 13. E. 1. frequently iſſue both before and ſince the Statute of 5. H. 4. yet none of thoſe Commiſſions were regulated by the Statute of 13. E. 1. but either they were (as commonly) for arming them according to mens degree and abilities, without mentioning the Statute of 13. E. 1. Or, where any did expreſſe the qualitie and proportion of Arms to be found, They varied from the Statute of 13. E. 1. and appointed other kind of Arms, and differenced and proportioned the eſtates of thoſe who were to find Arms, otherwiſe then is mentioned in that Statute: And ſometimes with an expreſſe Declaration, that the Statute of 13. E. 1. was made for the conſervation of the peace in a time of peace, when there was no danger of a forein enemy. And though ſome uſe might be made of thoſe Arms appointed by that Statute in time of danger, as well as any other weapons: yet the ſame was not that kind of armour which was principally intended as fitting for ſuch defence; as may appear by the preſidents above cited. And the conſtant practice in all after-ages for defence extraordinary hath ever been with other Arms, and after other Proportions, as We believe will not be denied by any man.

We now come to the Statute of 1. E. 3. whereupon the objection ſtands thus:

That the Statute of 13. E. 1. having made ſuch particular aſſize of Arms (as before) for the kinds and proportions, this Statute doth ordain, That no man from thenceforth ſhall be charged to arm himſelf otherwiſe then he was wont in the time of the Kings Progenitours: Meaning (as the Declaration takes it for granted) according to that former Statute of 13. E. 1.

To this We ſhall give this Anſwer: That (as We have proved before) 13 E. 1. was never meant as of a proviſion for defence extraordinary: and much leſſe that the Statute of 1. E. 3. could intend any ſuch thing.

And as the Penner of the Declaration cannot therein ſhew any expreſſe reference to that Statute of 13. E. 1. and can, at the moſt, but barely conjecture it; ſo on the other ſide We ſhall out of the penning and otherwiſe upon ſurer grounds conclude the contrary. For firſt, in this caſe, regularly, if not neceſſarily, (where a latter Statute in the ſubſtance and meaning thereof wholly depends upon a former, and muſt 2. E. 3. c. 6. have reference thereunto) the Parliament of 1. E. 3. would have made mention of this Statute of 13. E. 1. (as they did thereof) the next yeare following, when it was renewed but for keeping of the peace. Next, in wiſdome it was fitting (if ſo be that they had intended a further re-eſtabliſhment of the particularities of the kinds and proportions of Arms mentioned in 13. E. 1.) that when they had a former Statute ſo punctuall therein, they ſhould not have thus left us, for a true underſtanding of their meaning, to a generall enquiry of the particular Aſſize uſed for Arms in former times.

But on the contrary, the Statute referring to the former uſage, in the times of the Kings Progenitours (which being indefinitely ſpoken, We conceive, muſt be underſtood of all Kings times as well before as after 13. E. 1.) the uſage therein meant is but *Conſuetudo Angliæ*, the Common Law: and the Parliament could not, in all probability, in the mention of ſo ancient an uſage intend ſo late a Statute as this of 13. E. 1 which was but new in the particularity of the Aſſize, though ancient in the Rule of charging, according, to the quantities of every mans Lands and Goods, the former Aſſizes having been alſo different: Nor (conſidering that of Neceſſity, the ſeverall kinds and proportions of Arms ever did, and muſt vary with the times) could they intend, that there ever was, for

for the times paſt, or could be for time to come any ſuch conſtant rule of any ſuch particular Aſſize concerning Arms, whereunto they could referre, as conſtantly uſed for the time paſt, or that might conſtantly endure for time to come: neither ever was, or can there be any other conſtant rule, then that generall rule of the Common Law (which can never fail) for the Aſſeſſing Arms from time to time, for the kinds, according to the preſent uſe, and for proportions, according to mens abilities.

And it were very ſtrange, that the Parliament of 1. E. 3. could conceive, That (for the defence extraordinary) the particular kinds of Arms in 13. E. 1. eſpecially ſuch petty proviſions, could be proper and ſufficient at this time in 1. E. 3. and would ſo continue afterwards.

And now that We have cleared this firſt part of the Statute of 1. E. 3. (*as concerning the Arming a mans ſelf*) that it is not thereby intended, That the Subject ſhould not be charged with Arms, otherwiſe then according to the Statute of 13. E. 1. We ſhall deliver, what our ſelves conceive of the meaning thereof; And it is thus.

Towards the end of the Reigne of E. 2. ſeverall Commiſſions of Array iſſued into ſeverall Counties; in execution whereof the Commiſſioners had much grieved, and oppreſſed the Subjects. Inſomuch, that upon complaint, ſpeciall Commiſſions of Oyer and Terminer (uſuall in thoſe times) were ſent forth for the enquiry after thoſe grievances & oppreſsions. And although it do not appear what thoſe were, yet ſince the Complaint was not againſt the Commiſsions themſelves, as illegall, We cannot conceive otherwiſe, but that it was againſt the wilfull exceſſe of the Commiſsioners, in their ſurcharging the Subjects with Arms beyond their abilities of eſtate to bear (as charging a man as a Horſeman, where it had been ſufficient for his eſtate to have born Arms as a Footman, and the like) contrary to the Tenour of the Commiſsion. *Cl. 19. E. 2. n. 17. Dorſ.*

But this courſe producing indeed little effect, in the time of King E. 2. partly out of the favour, which it is likely the Commiſſioners did find, and partly by reaſon of the ſhort remainder of His Reigne, there was juſt occaſion, both for Complaint, and Relief in this next Parliament of 1. E. 3. And though the particulars of the Petition in 1. E. 3. and the Anſwer out of which (according to the manner of thoſe times) the Printed Act was made, do not appear, for the want of the Roll of that Parliament, yet We may well judge thereof upon this occaſion, happening within the compaſſe of about one yeare before, and thereupon conclude, (as for the true meaning of that Act) That the proviſion intended to be made, was onely againſt the exceſſe of the Commiſſioners; which rather juſtifies, then any way diſproves the Lawfulneſſe of ſuch Commiſſion. And ſo the ſenſe of the Act, applyable to the Complaint, will be, That whereas the Commiſſioners had overhighly taxed the Subjects, the Act provided, That they ſhould not be otherwiſe charged, then as they had been in the times of former Kings; and (according to Our Commiſſion) moderately, and ſo as they might live ſtill according to their former condition: as in like caſe of other Statutes againſt outragious Diſtreſſes and Amerciaments.

And although We take this to be the ſenſe of that Statute, yet if any man ſhall think this part of the Statute of 1. *E.* 3. *Concerning arming a mans ſelf*, to be the ſame with the words of the Statute of 25. E. 3. againſt *conſtraining any man to find men of Arms, &c.* (which is the ſenſe of this Declaration, which makes both Statutes to be *to the ſame effect*, and makes the inference againſt Our power of impoſing Arms upon them both) We ſhall not contradict him therein, being confident to make it evident, that this Commiſsion is no way contrary to the words or meaning of that Statute of 25. E. 3.

But before we come to that Statute, We ſhall make one Obſervation upon thoſe Statutes of 13. E. 1. & 1. E. 3. both together

together: and thereupon ſhew, That in the judgement of the whole Parliament of 4. *H.* 4. (whoſe authority is chiefly inſiſted upon in this Declaration) Our Commiſſion is no way oppoſed by either of thoſe Statutes: And it is this:

It appeareth that the late iſſuing of the Commiſſioners complained of in 4. *H.*4. (which the Declaration ſuppoſeth were of the ſame nature with Our Commiſſion, but We deny it) was the occaſion of the Petition of the Commons in that Parliament.

In which Petition, they intending to ſhew the illegality of thoſe Commiſſions, and to obtain (as they thereupon did) a confirmation of former Acts to the contrary, do recite the Statute of 25. *E.* 3. 18. *E.* 3. *c.* 8. and that part of the Statute of 1. *E.* 3. which is againſt carrying of men out of their Counties; and yet nevertheleſſe they wholly omit this Statute of 13. *E.* 1. and this firſt part of the Statute of 1. *E.* 3. concerning the Arming. Whereas it is to be preſumed, they would have alſo recited this Statute of 13. *E.* 1. if they had conceived the ſame to be (as this Declaration ſets it forth) the certain Aſſize for arms, and ſuch a Statute whereto all the reſt had reference, or any way materiall againſt any part of theſe Commiſſions. But howſoever, making uſe of the latter part of the Act of 1. *E.* 3. againſt carrying of the Subject out of the County, they would have made uſe alſo of this part of 1. *E.* 3. concerning the Arming, and deſired a confirmation thereof as well as of the reſidue, and not thus purpoſely rejected it, if ſo be they had not, upon conſideration, firſt reſolved that that part of 1. *E.* 3. was no wayes againſt the Commiſſion.

And now we come to the Statute of 25. *E.* 3. whereupon the Objection ſtands thus:

By the Statute of 25. *E.* 3. the Subject is not to be conſtrained to *find men at Arms &c.* if it be not by common conſent and grant made in Parliament. But by this Commiſsion the

the Commiſsioners have power, without conſent or grant in Parliament, to command thoſe who are able of body and eſtate *to arm themſelves:* and thoſe who are impotent, but able in eſtate, to *find Arms* for others: (which the Declaration in ſome places calls *finding Arms*, and in ſome places *finding men at Arms*) and is therefore againſt that Statute.

For this Objection We need do no more then referre Our ſelves to Our former obſervation of the different ſenſe of the ſeverall words of *arming a mans ſelf*, and *finding arms* for ſome other, which are the onely words uſed in the commands of this Commiſsion, and the words, finding of a *man of arms*, or other complete Souldier, uſed in this Statute, and intended to be thereby prohibited: whereby it will be apparent, that arming a mans ſelf, or finding bare Arms for others is not within the letter of this Statute.

Nevertheleſſe, for a more particular Anſwer; 1. as to the firſt of theſe powers in our Commiſsion concerning *arming a mans ſelf*, We ſay, That this Act being againſt finding of men at arms or other ſouldiers, doth not any wayes intend to prohibit the compelling of men to arm themſelves, (that is, their own perſons.)

For that had been not onely againſt the Common Law, whereof that Act is but declarative, but alſo againſt thoſe Statutes of 13. E. 1. (admitting it provided, as the Declaration ſuppoſeth, for defence extraordinary) and againſt 1. E. 3. by both which Statutes it doth clearly appear, that the Subject is in ſome manner compellable to arm himſelf: And the Act of 25. E. 3. is in generall againſt all finding of men armed at any time. So that in that ſenſe whatſoever the occaſion is (though it be upon an actuall invaſion of an enemie) he cannot be compelled to find arms. And that expoſition of the Statute would wholly take away all compulſorie means of defence.

Nor will it be ſufficient to anſwer this, That the arming according

according to thoſe Statutes is aſſented unto in Parliament, and ſo is within the exception of the Statute of 25. E. 3. For the conſent in Parliament (intended by this exception) muſt be underſtood of *future* conſent in Parliament, as well as the conſtraining men to find Souldiers prohibited by the Act is meant of a *future finding* Souldiers. And in the exception of the Statute of 25. E. 3. There is not onely to be a conſent, but alſo *a grant* in Parliament, for ſo the words are (*if it be not by common conſent and grant in Parliament*) but in thoſe Acts of 13. E. 1. & 1. E. 3. there is no colour of a grant made at all. And this Statute being declaratory of the Common Law, as appears by the reaſon of the Act delivered in the Petition of the Commons in theſe words, *Car cet eſt encountre le droit del Realme.* For it is againſt the right of the Realm, (which is as much as againſt the fundamentall libertie of the Subject) this Statute of 25. E. 3. muſt be conſtrued as of the Common Law, and before any Statute.

And ſecondly, as for the other part of Our Commiſſion, which is concerning the charging thoſe who are impotent in body, but able in eſtate, to find Arms for others: If ſuch finding of bare Arms had been within the letter of that Statute, or the finding of a compleat Souldier by ſuch a man, had been within Our Commiſſion; yet it would have been a harſh conſtruction, (and doubtleſſe contrary to the intention of the makers) by generall words, which were meant onely for proviſion in the generall Caſe, thus to have ſpared him in this ſpeciall and particular Caſe of impotencie, from contributing to the Defence of the Kingdome, by finding another, as in his place; whileſt he is as much, or more concerned then others, who muſt undergo as much charge, and muſt alſo adventure their own perſons.

And by the Common Law, whereof (as we have ſaid) this Statute is but declarative, thoſe who were not fit to bear Arms, were notwithſtanding chargeable otherwiſe towards

home-defence, as appears by the Preſidents already cited, and many more.

And now We ſhall give the true ſenſe of this Statute of 25. E. 3. And this will beſt appear upon the end and occaſion of the making; which were theſe.

V. 18. *E.* 3. *Rot. Parl. n.* 11. 20. *E.* 3. *Rot. Parl. n.* 12. and others of that time

King E. 3. having had his Treaſure exhauſted by the French Warres, was upon that occaſion inforced to many hard preſſures upon His Subjects; So that they had ſeverall times been charged, with providing and ſetting forth of Souldiers; and ſometimes with maintaining or paying of them: and this in ſo exceſſive a manner, as that it coſt a Countie ſometimes at once a thouſand pound; And all this was done with relation onely to a forein Warre, wherein the Title of the King to *France* was onely in queſtion: and nothing which directly concerned the Kingdome of England: againſt theſe there was juſt cauſe to make proviſion by ſome Law, eſpecially now when the Wars were renewing: And accordingly this Statute was made againſt impoſing ſuch charges upon the Subjects.

And what reſemblance there is between thoſe caſes, and Our Caſe, of charging the Subjects onely to find Arms for themſelves, or (in caſe of impotencie) for another (as in their ſtead) and all but for home-defence, We referre to every mans Judgement.

And thus We leave theſe three Statutes of 13. E. 1. 1. E. 3. and 25. E. 3. with this obſervation, that if it be true, (which the Declaration takes for granted) that they are all to the ſame effect, that then Our Anſwer to any of theſe three is an Anſwer to the reſt.

We are now come to 4. *H.* 4. being the laſt of theſe Statutes, which (in the matter of Arming) are objected againſt Our Commiſſion, as it ſtood at Common Law, before 5. *H.* 4.

And herein We agree, That the Parliament Roll, whereupon

upon the Statute is framed, is truly ſet forth in the Declaration: yet We conceive that, in Subſtance, there is no more upon the Roll, then in the Print; though ſome paſſages may give ſome light for the expoſition of theſe other Statutes of 1. E. 3. and 25. E. 3. therein confirmed.

So as this Statute of 4. H. 4. being, in truth, but an Act of bare confirmation, without any additionall explanation, is already anſwered.

But becauſe the Declaration doth import, That the Commiſſions (which iſſued lately before 4. H. 4. & were the occaſion of that Statute, and are damned thereby, as contrary to the Acts of 1. E. 3. 18. E. 3. and 25. E. 3.) were of the nature of Our Commiſſion, (which yet is not indeavoured to be proved) We ſhall alſo give a particular Anſwer touching thoſe Commiſſions.

And herein We ſay, that firſt it doth not appear, nor is there any reaſon to preſume that any of thoſe Commiſſions were of the Tenour of Ours; And in caſe thoſe Commiſſions did, amongſt other Powers contain alſo the Powers of Our Commiſſion, touching the impoſing Arms upon the Subject, it doth not appear that thoſe Commiſſions were particularly in thoſe very powers held unlawfull. Both which muſt (but neither will) be proved, otherwiſe there can be no application.

But the truth is apparently to be inferred out of the Roll, That upon thoſe Commiſſions the Subjects were inforced to go or to find others to go at their own charges, not onely out of their proper Counties, but alſo (upon occaſion of ſome inſurrections) into *Wales*, which at that time & (until the Act of Union 27. *H.* 8.) was to ſome purpoſes, at leaſt Commonly reputed a diſtinct Dominion; as appears even by this Parliament Roll, in theſe words, That none of the ſaid Commons be diſtrained to go into *Wales*, *or elſewhere out of the Realm*, and otherwiſe: the uſuall phraſe in ſeverall Acts of Parliament,

9. H. 4. R. Parl. n. 17. 6. H. 4. R. Parl. n. 9. 1. H. 5. R. Parl. n. 17. 2. H. 6. c. 10.

ment, being alſo to this day, the Kingdome of *England*, and Dominion of *Wales*.) And ſuch a Commiſsion, We may well admit to be againſt all thoſe three Statutes, without impeachment of Ours.

We ſhall ſay no more as to this Statute ſingle, but that (as We have obſerved before) both in the Parliament Roll, and printed Act, the firſt Clauſe of 1.E.3. concerning Arming, being purpoſely omitted, it ſheweth that the mere matter of cauſing the Subject to be armed, was not the grievance then complained of, or meant to be redreſſed.

Having thus farre proceeded in Our particular Anſwers unto the ſeverall Statutes of 13. E. 1. 1. E. 3. 25. E. 3. and 4. H. 4. as they were appliable to the firſt objection made upon them, againſt Our impoſing of Arms upon the Subject; We ſhall, in the next place, proceed to the Anſwer of the other Objection, made againſt Our Commiſsion, upon the Statutes of 1. E. 3. and 4. H. 4. of Confirmation: (For as to the other Statutes of 13. E. 1. and 25. E. 3. We do not conceive, that they are or can be meant unto this purpoſe.) Hereupon the Objection is this;

That by the Statute of 1. E. 3. and 4. H. 4. the Subject is not compellable to go out of his County; but in caſe of the ſudden coming of an Enemy, which the Declaration interprets of an actuall invaſion: but this Commiſſion gives power not onely to compell the Subject to go out of his County before an actuall invaſion (as the caſe is put in the ſtating of it) but (as it is expreſt in other parts of the Declaration) without Limitation, and at pleaſure.

To this Objection Our Anſwer is; That both the ſenſe of the Statutes, and of the Powers of Our Commiſſion are miſtaken. For firſt, (as We have before ſtated it) Our Commiſsion gives that Power of conducting out of the Countie, onely againſt an Enemy, and for the defence of the Countrey in caſe of imminent Danger, and but when and where it ſhall

ſhall be moſt needfull; (And ſo not without limitation and at pleaſure.)

And ſecondly, as to the ſenſe of the Statutes, We do deny that the Subject is not compellable to go out of his County, unleſſe in caſe of an actuall invaſion, by a forein Enemie.

And herein, though We have not upon this Commiſsion neceſſary occaſion to diſpute it; yet We cannot but obſerve, That the Declaration allows of no neceſsity of compelling the Subject out of the proper Countie, in caſe of actuall rebellion, and onely againſt a forein Enemie, the ground whereof is a miſtake (in recitall of the Statute of 1. E. 3. by the Act of confirmation of 4. H. 4.) of the word *And* between the two words, *neceſsity* and *ſudden coming:* The Act of 1. E. 3. going thus, That no man be diſtrained to go out of his County but where neceſsity requireth *and* ſudden coming of ſtrange enemies into the Realm. And the Act of 4. H. 4. (which as We have before obſerved, reciteth not the whole Statute of 1. E. 3. but ſo much thereof, as upon occaſiõ of the late forein ſervice did then concern the preſent complaint) being in theſe words, That none ſhall be diſtrained to go out of their County, but onely for the cauſe of neceſſity (*of*) ſudden coming of ſtrange enemies into the Realm.

Whereas, if in this recitall the word (*And*) had been put in place of the word *of*, or before it, both had agreed, and ſo the ſenſe of the Statute, as to this matter of going out of the County, had been upon 4. *H.* 4. as it is upon 1. *E.* 3. *That no man be compelled to go out of the County, but in caſe of neceſsity or coming of enemies:* the word (*And*) in expoſition of Statutes being moſt frequently taken for (*Or*) according to the Subject matter, and ſo the Statute had excepted two caſes, neceſsity ariſing from within (by actuall rebellion) and neceſsity ariſing from abroad (by ſudden coming of ſtrange enemies:) this exception in both being abſolutely neceſſary for defence of the Realm and according to the Common

Law (of which the Statute is but declarative) and the practice both before and ſince. And indeed it could be no otherwiſe in property of ſpeech, for there cannot be a cauſe of neceſsity *of* the ſudden coming of enemies, but there is a neceſsity of defence *againſt* their coming.

And in this caſe We are to be guided by the Statute of 1. E. 3. as it was Originally, as it is alſo truly ſet forth in the Declaration, and agrees with all printed Statutes both in Engliſh and French, and ancient Manuſcripts, all of them derived from the Originall Statute Rolls which was loſt before 4. *H.* 4 (that which now remains being but a Tranſcript of a Tranſcript.)

Thus then, without more, We ſhall apply Our ſelves to the Objection as it is made upon the words of 1. E. 3. both in the Originall and the Recitall. And We ſay, That the Subject is compellable to go out of his County for defence of the Kingdome, as neceſſity ſhall require, before the Landing or other entry of the Enemy, to prevent his Landing or Entry.

And for this We ſhall but recite the words again; And they are theſe, *That no man be compelled to go out of his County, but where neceſsity requireth, and ſudden coming of ſtrange enemies into the Realm.*

Wherein it ſeems to Us moſt plain, that theſe words require no ſuch Actuall Landing, or Entry of an Enemy into the Kingdome, before the Subject is Compellable out of his County. For the words of the Act are not (as to this point) when the Enemy *is come*, but *upon the coming*, not *within* the Realm, but *into the Realm*. And all men know, that in ordinary Speech, a man may be ſaid to be coming into a place, when he is upon a remove to a place; but moſt properly, when he is on his way, eſpecially when he approcheth with an intention to enter thereinto; and in ſuch ſenſe theſe words of *coming into the Realm* muſt be taken, in this Statute.

But

But in caſe the words (*of the enemies coming into the Realm*) might bear a doubtfull interpretation, that ſenſe muſt be taken, which agrees with the Common Law before practiſed, whereof this Act is but Declarative; and the conſtant practice of all ages ſince that, is, That the Subjects have ever been commanded, and gone out of the County againſt the Enemy before any Landing or Entry.

And to give this Statute of 1. *E.* 3. any other ſenſe were againſt all Common reaſon, and the rules of government and defence; which is, not to let the Enemy firſt come in, if it be poſſible to keep him out: and it may be much more eaſie to prevent the coming in to the Land, (eſpecially by Sea, in oppoſing the Landing) then afterwards to expell him. And it cannot be expected, that the Forces of one County alone, ſhould be able to reſiſt the entry of a powerfull Enemie.

And laſtly, as for thoſe Commiſsions, which were damned in 4. *H.* 4. thoſe had no reſemblance to Our Caſe, nor are warranted by the Exception of 1. E. 3. For that (as appears before) the Subject was then carried out of the Countie, not for defence of the Kingdome, as the exception of this Statute requires, but for ſuppreſsion of an Inſurrection in *Wales*, which was not then taken as part of the Realm: and the Prayer of the Commons in 4. *H.* 4. made upon that Occaſion, and therein grounded upon 1. E. 3. was not merely becauſe they were carried out of the Counties, but becauſe they were carried out of the Realm in a Service, which was not for the neceſſary defence thereof.

We have thus far, upon this laſt head of Our diſcourſe, onely Anſwered the Objections made upon theſe Statutes of 13. E. 1. 1. E. 3. 25. E. 3. and 4. H. 4. We ſhall now conclude this part of Our Anſwer, with a return of all thoſe Statutes againſt the Declaration, and in juſtification of Our Commiſſion.

Firſt,

First, as concerning 13. E. 1. since that (as We have before observed) the Statute was made onely with relation to the keeping of the peace, it implyes, that there is another rule in the matter of imposing of Arms for defence extraordinary.

Secondly, as for 1. E. 3. (besides Our former observation, That in all probability, the Act was made but upon Complaint against the excesse of charging by the Commissioners, and not against the powers of that Commission, which had lately before issued, which rather justifies the Commission then otherwise) We further say, That if We should admit, that the Statute of 1. E. 3. *That no man should be charged to arm himself, otherwise then he was wont in the time of the Kings Progenitours*, hath any relation unto 13. E. 1. and that so the sense thereof were, That none should be compelled to find Arms, otherwise then according to that Statute of 13. E. 1. Yet then that Statute of 1. E. 3. (as 'tis plain) must be meant onely as concerning ordinary defence; and that as the Subject is in case of necessity to be carried out of the County, so in that case he may be compelled to be Armed otherwise then at ordinary times.

To this purpose We note, that in the Statute there are two distinct propositions joyned together, one against the Arming of the Subject, the other against going out of the County; And the clause which is next subjoyned is an exception, *Si non pour cause de necessité, &c. Unlesse it be for necessity, and the sudden coming of strange enemies.* Which exception, upon such admittance, is not onely appliable to that last clause before, concerning *the going out of the Countie*, but as to the *Arming:* The sense thereupon also being thus; That though in case of ordinary defence, the Subject be not compellable to bear other Arms then according to 13. E. 1. as neither to go out of the proper County; yet for the extraordinary defence of the Kingdome, in case of necessity (wherein more must

muſt be done then ordinarily) both, Arms are to be impoſed by other rules then in 13.E. 1. and alſo the Subjects are to go out of the Countie; For ſo it followeth in the next words of the Act, which are theſe, *And then it ſhall be done, as hath been uſed in times paſt, for the defence of the Realm.* And this ſenſe, upon this admittance, clearly appeareth out of the courſe of former times in ſuch caſes, to which the Statute doth referre.

As for 25. E. 3. (beſides that the Declaration ſaith it is to the ſame effect with 1.E.3. and was made with relation to a forein warre, as We have obſerved,) if (as the Declaration muſt admit) that the exception of finding men at Arms,&c. by common conſent, and grant in Parliament, be intended as well of Acts of Parliament paſt as to come, then our Commiſsion, in the power of impoſing Arms, being warranted by 1. E.3. is alſo warranted bythat Act of 25. E. 3.

And for 4.*H.*4. (beſides what We have before obſerved, upon the omiſsion therein of the firſt part of 1.E.3. concerning impoſing of Arms, and that it applies 25. E. 3. but to a forein Warre) the generall ſenſe, and Judgement of that Parliament, excepting then onely againſt other Commiſsions, ſeems to allow of this; for that otherwiſe, it is not to be imagined, that immediately in the ſame yeare, there ſhould iſſue out a Commiſsion of Array, and in the next yeare, there ſhould iſſue out that other which was corrected in 5. *H.* 4. both of the ſame form, and the latter bearing *Teſte* the day of the Summons of the Parliament of 5.*H.*4. And that at that Parliament, though ſome amendments were made in it, yet no exception ſhould be taken to the legalitie of the powers: whileſt (as the Declaration obſerves) it is probable, That many of the Houſe of Commons, and it is certain that moſt of the Houſe of Lords, were members of the Parliament of 4. *H.* 4. and knew the meaning thereof. 4.H.4.Rot. Parl. part. 2. m. 10.

And thus We have anſwered to the full ſatisfaction (as We hope) of all indifferent Judgements, the ſeverall Objections made againſt the legalitie of Our Commiſſion of Array as it ſtood before, and at the making of the Act of 5. H. 4. and thereby proved, That Our Commiſſion was warranted by the Common Law, That the powers thereof remain untouched by the Statutes of 1. E. 3. 25. E. 3. or 4. H. 4. And that it was afterwards allowed and ſettled (as a rule or pattern, whereby Commiſſions ſhould iſſue in after-ages) by the Act of Parliament of 5. H. 4.

We have yet ſome other Objections in Our way, which admitting the legalitie of Our Commiſſion as it ſtood in 5. *H.* 4. are made againſt it upon ſome latter Acts.

The firſt in time is upon the Statute of 4. and 5. *P. & M.* *c.* 4. which ſettles an aſsize and proportion of Men, Horſes, and Arms, which every man was to find; which the Declaration ſaith was *without Queſtion, a repeal of this Statute of* 5. *H.* 4. And accordingly, We ſhall take that firſt into conſideration: For though upon the repeal of that Statute by 1. *Jac.* *c.* 25. the Declaration agrees, That Our Commiſsion, if once ſettled by 5. *H.* 4. is now again in force; Yet an inference is made from thence, That the Parliament of 1. *Jac.* would never have repealed that Statute of 4. & 5. *P.* & *M.* if they had thought that any ſuch power of impoſing Arms, as is in the Commiſsion, would have been thereupon revived.

The words of the Statute of 4. & 5. *P. & M. cap.* 2. are theſe, *Be it enacted, &c. That as much of all and every Act and Statute concerning onely the keeping or finding of Horſe, Horſes, or Armour, or any of them heretofore made and provided, and all and every forfeiture or penaltie concerning onely the ſame, ſhall be from henceforth utterly void, repealed, and of none effect.*

To this We ſay, firſt, that 4. & 5. *Phil. & Mar.* doth not repeal 5. *H* 4. either by the words or meaning.

As

As to the words, They extend onely to a repeal of ſuch Acts which do appoint particular Aſſizes (or Aſſeſſements) of Arms: all which upon that Statute of 4. & 5. *Ph. & M.* (which appoints a new Aſſize for kind of Arms and proportions) would be either contrary or altogether uſeleſſe. And to that purpoſe the Statute ſpeaks of repealing of Acts *concerning keeping or finding of Horſe, Horſes, or Armour*, which, as it muſt be meant of Acts concerning keeping or finding of *Horſes* in particular for kind or number; ſo as concerning *armour* in generall, it muſt, by the conſtant Rules of conſtruction of Statutes, be meant of Acts of the like nature as the former, that is, Acts concerning the appointment of ſome particular armours, as a Gorget, a Breaſt-plate, and the like, ſuch as were the Statute of 13. E. 1. and 33. *H.* 8.

But this Statute of 5. *H.* 4. is nothing concerning the appointment of any particulars, either for the kind of Arms or proportions: but doth onely enact a Commiſſion iſſuable, without commanding that it ſhall iſſue, which is referred to the Kings pleaſure (upon a lawfull occaſion) Nor doth the Commiſſion it ſelf mention (as is apparent) any particularity of Arms or proportions.

And if the Statute of 4. and 5. *Ph.* and *M.* were meant of ſuch Statutes, as ſpeak of finding Arms in generall, it had as well repealed the Statutes of 1. E. 3. 25. E. 3. and 4. *H.* 4. as this Act of 5. *H* 4. which no man will ſay was ever intended.

But in truth, this Commiſſion being in generall, doth no wayes contrary this Statute of *Ph.* and *M.* but that the particulars of the Aſſeſſment by that Act, both for the ſeverall Kinds of Arms and proportions, might have been very well put in Execution by this Commiſſion.

For the Commiſſion gives Power to aſſeſſe every man *juxta ſtatum & facultates*, According to his degree and Abilitie. And this Parliament of 4. and 5. *Ph.* and *Ma.* appoint-

ing Arms fitting for defence of the Kingdome in thoſe times, and proportions fitting (in their Judgements) for the ſeverall degrees and abilities of every man; That act did not thereby take away the power of the Commiſſioners wholly, but did onely give particular rules for the kind of Arms and proportions, which the Commiſſioners were to obſerve in the execution of their power, thereby onely regulating, but not deſtroying their powers.

And if this Statute of 4. and 5. *P.* and *M.* had taken away the firſt Powers of the Commiſſioners concerning arming, yet had it not taken away the other ſeverall and independent Powers of Arraying, Training, Muſtering, or Conducting thoſe men ſo furniſhed according to that Statute, but that they had remained to have been executed (at leaſt by a diſtinct Commiſſion which might have been iſſued at pleaſure for that purpoſe.)

And this alſo appears by the Statute of the ſame Parliament 4. and 5. *P.* and *M. cap.* 3. (which is in force at this day) which being concerning muſtering, hath occaſion to mention, and doth expreſſe the old power ſtill remaining to iſſue Commiſſions of that nature; in theſe words, *That if any perſon that ſhall be commanded at any time hereafter generally or eſpecially to muſter afore any ſuch who ſhall have authoritie or commandment for the ſame, by, or from the King and Queens Majeſtie, or the heirs or ſucceſſours of the Queens Majeſtie, or by any Lieutenant, &c. do abſent himſelf, or at his appearance do not bring his beſt furniture of Array and Arms as he ſhall then have for his perſon in readineſſe, ſhall be impriſoned, &c.*

But neither by that nor the other Statute of *P.* & *M. cap.* 2. is there any new authoritie given to the King to grant Commiſſions for Muſters, but the ſame is admitted to continue as not repealed. And as to that point of appearing at Muſters, We made uſe of that Statute of 4. and 5. *P.* and *M. cap.* 3. in Our Proclamation: And do wonder how the Penner of that

that Declaration could imagine, We meant any ſuch further uſe therein upon that Statute, as the Declaration ſets forth.

And here by the way We obſerve a mention in this Statute, of 4. & 5. *P. & M. cap.* 3. of a power of muſtering in Lieutenants, to whom other Powers contained in Our Commiſſion were alſo granted, and might have been alſo mentioned in this Statute, if there had been occaſion.

And ſecondly, as to this Statute of 4. & 5. *P. & M. c.* 2. We ſay, That in caſe that Act of 5. *H.* 4. had been repealed by 4. & 5. *P. & M.* yet this Commiſſion had ſtill continued in force notwithſtanding any bare repeal; for that (as We have proved) this Commiſſion (was before that Statute) warranted by the Common Law, which did ſtill remain in force ſo far as it was not expreſly contrary to the further particulars of that Act.

And now We come to the Objection principally intended againſt this Commiſſion upon the alteration of the Law at this day ſince 5. *H.* 4. wherein the caſe is this:

The Statute of 13. E. 1. made an aſſize of Arms for the ſeverall kinds and proportions according to mens ſeverall eſtates. Then 5. *H.* 4. enacts this Commiſſion with power to aſſeſſe men according to their abilities. Afterwards 13. E. 1. is repealed by 21. *Jac.*

The Argument hereupon in the Declaration is made thus:

That the Commiſſion, as to the finding of Arms *Juxta ſtatum & facultates*, is ſo grounded upon that Statute of 13. E. 1. (which was then in force, and did enact the finding of Arms *Juxta ſtatum & facultates*, in manner as is therein expreſſed) that that Statute of 13. E. 1. being ſince repealed, that Commiſſion is likewiſe repealed, and become unwarrantable at this day.

For anſwer whereunto, in the firſt place, We do deny that this Commiſſion is any wayes grounded upon 13. E. 1. Firſt, for that (as We have proved) 13. E. 1. originally was not

meant, as a proviſion of Arms for defence extraordinary, much leſſe ſo intended here.

Secondly, if it were for defence extraordinary, yet neither this Act of 5. *H.* 4. nor the Commiſſion thereby ſettled, have any relation thereunto in words, much leſſe in meaning.

For the words, There is no mention of 13. E. 1. either in the Act or Commiſſion, but the words of the Commiſſion are generall for impoſing Arms *ſecundùm ſtatum & facultates*; According to every mans degree and ability, without limitation, of the kind of Arms, or particular ſeverall proportions of eſtates.

And for the meaning, We cannot conceive it to be leſſe, then according to the full extent of the words: For there is leſſe reaſon to imagine that the Parliament of 5. *H.* 4. did any wayes intend the aſſize of Arms eſtabliſhed by 13. E. 1. then there was to imagine the like upon the Act of 1. E. 3. for that between 1. E. 3. and 5. *H.* 4. all kind of Arms were more altered then betwixt 13. E. 1. and 1. E. 3. and in this ſpace of time Guns were come into uſe in *England*, which were both neceſſary to be commanded and provided againſt by other Arms.

And to avoid Repetitions, We further refer Our ſelf, in theſe two particulars, to what We before obſerved upon the Statute of 1. E. 3.

And as for any reſtraint of thoſe generall words of Our Commiſsion, by any conſtruction of Law to the particular aſsize of 13. E. 1. We ſay, That though a ſubſequent particular Act may reſtrain the generall words of a Commiſsion (as We have ſaid before, upon the Statute of 4. and 5. *Ph. & M.*) becauſe the ſubſequent Act, as it may take away, ſo it may limit any Power given either by Common Law or Statute, yet a precedent particular Act (upon the ſame reaſon, becauſe it hath no ſuch Power) doth not regularly reſtrain the generall words of a ſubſequent Statute, which hath

Power

Power to controll the former; and (as in Our caſe) where the meaning appears to be as large as the words cannot poſsibly reſtrain them.

But in this We need not labour: For though the Declaration in making way for this Objection, admits the Commiſſion, to have ſome colour to be legall, as grounded upon 13. E. 1. as to that part of finding Arms *juxta ſtatum & facultates*: Yet it is the main and throughout ground of the Declaration, *That this Commiſsion, becauſe it is generall, is againſt the Statute of* 13. E. 1. *and the other Statutes, and ſo void*; whereas, if the Commiſsion had been reſtrained to 13. E 1. then it could not have been void as contrary thereunto.

But, admitting that this Commiſsion was, by conſtruction of Law, neceſſarily to be regulated according to 13. E. 1. whileſt that Statute was in force, Our Anſwer is, that nevertheleſſe this Commiſsion did not fall by the repeal of that Statute.

Wherein We ſhall admit (which the Declaration ſuppoſeth, though by Us it is diſproved) That this Commiſsion was not warranted at the Common Law before the Statute of 5. *H.* 4. and then the Caſe is but this:

The Statute of 13. E. 1. doth appoint a particular Aſsize of Arms for kinds and proportions, according to this neceſſary rule, the arms for the *kind* ſhall be fit for defence; and for the *proportion*, ſhall be according *to mens abilities* (for ſuch is the Act.) Afterwards 5. *Hen.* 4. doth eſtabliſh this Commiſsion, wherein there is no particular reference unto this Statute of 13. E. 1. but the rule is generall to charge Arms, for the kinds, according to the uſe of the time (for that is neceſſarily implyed) and for the proportions, according to mens degrees and abilities; which are equall rules fit ever to continue, though the kinds and proportions, may and muſt alter.

In this caſe We do agree, That if the Commiſſion had expreſly

preſly referred to charge according to that Statute of 13. E. 1. then that Commiſſion could have been no longer of force then the Statute had continued. For then it had been no more in ſubſtance, then if the powers had been but particular, to charge certain Arms, and in certain proportions according to that Statute. And in this ſenſe We muſt agree with the Declaration, That a Commiſſion being ſo grounded upon a Statute, upon the Repeal of the Statute, both fall together.

But in this caſe,(thus admitted) where the Commiſſion is generall, and if 13. E. 1. had never been, muſt have had its full operation, according to the words, both for the kind of Arms and Proportions, and was regulated but by a bare conſtruction of Law,both for Arms and Proportions by 13.E.1. which the Parliament might think fit to be a rule for that time; it ſeems ſtrongly to follow, that when 13. E.1.(which was the onely impediment why it did not work according to the extent of the words)is repealed,the operation of the Law upon this Commiſsion, by force of that Statute, muſt likewiſe ceaſe:and the Commiſsion muſt be conſtrued according to the words, the rather for avoyding of this miſchief, that otherwiſe the Kingdome ſhould be without all neceſſary means to put it into a poſture of defence, which that Act did intend principally and perpetually to provide for.

But more fully to take off this Objection, We muſt here remember (what We have proved before) that the Powers of this Commiſsion in the latitude of the words thereof for impoſing Arms, *ſecundùm ſtatum & facultates*, according to mens degrees and abilities, was warranted at the Common Law before any Statute, and was to be executed without the direction of any particular Aſſize for kinds and proportions: As at this day ſeverall like powers for aſſeſſing men both by Statute and Common Law according to their abilities, as for high-wayes, poore of the Pariſh, and the like are to be executed.

Theſe

Theſe then being the Powers at Common Law, As it is clear they are not taken away by any affirmative Statute, (ſuch as 13. E. 1. ſeems to be:) So if We ſhall admit (as ſtrongeſt againſt Our ſelf) that there were any negative words in this Statute or any other Statute grounded thereupon, that the Subject ſhould not be compellable to be armed otherwiſe, (which other Statutes (according to the ground rightly taken in the Declaration) muſt neceſſarily fall by the repeal of 13. E. 1. then that Statute being repealed, the Commiſsion thus freed of thoſe Statutes, remains in full force as it was at the Common Law.

And now that We have paſſed over the Acts of Our Predeceſſours as well before as after the Act of 5. *H.* 4. We are encountred with Our own Acts, the Petition of Right, and a Recitall in an Act this preſent Parliament, as being both againſt Our Commiſſion.

Whereunto We need to ſay but this, That it appears out of themſelves, that neither of them were ever meant to introduce a new Law: So as if (as We have proved) Our Commiſſion be not againſt the Law, as it ſtood formerly, they were not intended nor juſtly ought to be extended againſt it. But to give yet more particular and full anſwers thereunto; We ſay, Firſt, for the Petition of Right, it no wayes extends to our Commiſſions of Array.

The Objection made upon it ſtands thus, The Petition of Right ſets forth, That by the Laws and Statutes of this Realm, the Subjects have inherited this Freedome, That they ſhould not be compelled to contribute to any Tax, Tallage, Aid, or other like charge, not ſet by common conſent in Parliament. And after complaints, That divers charges have been laid and levied upon the People by Lords Lieutenants, Deputy Lieutenants, Commiſſioners for Muſters, Juſtices of Peace, and others, by command or direction from Us, or Our Privie Councell, againſt the Laws and free Cu-

ſtomes of the Realm, which the Declaration alledgeth to be the breach of thoſe Laws.

Then the words of the Petition are thus applyed, That here is a Tax or Charge impoſed upon the people, by compelling them to find Arms by command and direction from Us, under Our great Seal, without conſent in Parliament.

And the meaning of the Petition is thus inforced, That it is very well known, and doth ſufficiently appear, that the charges there mentioned to be laid by Lords Lieutenants, and Deputy Lieutenants, were the charging of the Subjects with Arms againſt Law, by colour of their Commiſſion from Us, and conſequently this Commiſſion is againſt the Petition of Right.

For Our clearer Anſwer, We ſhall ſet down the ſumme of the Petition, for ſo much as concerns the unlawfull charging of the Subject. And it is this:

Firſt, the Petition recites ſeverall Statutes, as made againſt the compelling the Subject to the making or yielding any Gift, Loan, Benevolence, Taxes, Aids, or ſuch like charges without common conſent in Parliament; And next ſetteth forth a violation of thoſe Statutes, by the Commiſſions of Loans, and Execution of them; and that divers other charges had been laid and levied by Lords Lieutenants, and others (as is aforeſaid.) And laſtly the Prayer is ſubſtantively of it ſelf, without any relative words, yet extends to all that was before complained of, and contains the ſubſtance of all thoſe former Statutes in theſe words, *That no man be compelled, to make or yield any Gift, Loan, Benevolence, Tax, or ſuch like charge without common conſent by Act of Parliament.* And Our Anſwer to that part of the Prayer, amongſt the reſt, is, *Let right be done as is deſired.* And Our Anſwer to the Objection ſtands thus:

Firſt, that whatſoever ſenſe any words of the Preamble may ſeem to import, yet without queſtion, there is no more

in

in this Preamble then is after contained in the Prayer: So if Our Commiſſion be not againſt the Prayer, there can be no Argument againſt it drawn out of the Preamble, or if in truth there were more in the Preamble then in the Prayer, (whereunto onely the Royall aſſent extends,) yet nothing could bindingly be concluded thereupon (as We ſhall further ſhew upon occaſion.)

This then onely reſts to be conſidered upon this Objection; Whether the powers, in Our Commiſſion, to compell the Subjects, able of body and eſtate to Arm themſelves, and in caſe of impotency to find Arms for others, for the neceſſary defence of the Kingdome, can be ſaid to be a compelling of the Subject, *to make or yield any Gift, Loan, Benevolence, Tax, or other like Charge, contrary to the Prayer of the Petition.*

Upon the Caſe thus truly ſtated, it is clear, That here is *no yielding or making of Gift, Benevolence, or Loan*; And as for *making or yielding any Tax or other like Charge*, though it be true, That this arming a mans ſelf, or finding Arms for another, cannot be done without charge: Yet We appeal to every mans underſtanding, whether Our Subjects can, upon this Commiſsion, be ſaid *to make or yield* (for ſo are the words) *any Tax or other Charge* againſt the Petition, any more, then if We command a City to repair their Walls, or a Levell (putting the caſe before any Statute, to take away all colour of evaſion) to repair the Sea-banks, when they were in decay, being no particular advantage to Us, but for the Common good of themſelves.

The truth is, That albeit the impoſing of divers charges, and commanding divers Acts drawing charges upon the Subject, though poſſibly for their advantage, are void in Law: notwithſtanding it doth not follow that they are void as againſt this Petition. For the Petition of Right, as againſt the charges therein mentioned, is onely to be intended of Money, or other thing valuable, and to be parted with to or

for Us, or Our advantage: ſuch as are all the charges more ſpecially mentioned in the Preamble and Prayer, as that of Gift, Loan, and Benevolences, and ſuch as were thoſe charges intended in the Preamble under the generall expreſſion of divers other charges impoſed by Lord Lieutenants, &c. which We think is very well known to moſt Counties, to have been mere Pecuniary Payments, and which We ought to have born. And for the other charges, that is of Taxes, Tallages, Aids likewiſe mentioned, which as to this purpoſe are but *Synonyma*, and of one ſignification, they are meant of money or other things valuable, and for the King; and ſo uſed in the old Statutes, and had been in former times impoſed upon the people, without Act of Parliament; and accordingly all of them are ſo to be expounded in the Preamble. And the Prayer of the Petition ſaith nothing expreſly againſt the Commanding the Subject to do a thing which may be neceſſarily of expence or charge, (wherein the Act is onely intended, and the charge but a neceſſary Incident) but the Prayer is onely againſt the compelling of the Subject *to yield, or make* thoſe kinds of charges: So as the clear ſenſe of the Petition, both according to the occaſion of complaint therein mentioned, and the Laws whereupon it is framed, as well as the propriety of the words, is onely againſt drawing from the Subject, either money or money-worth, by any of thoſe particular charges therein mentioned, or any other charge of like nature (under what ſpecious title ſoever) for the Kings advantage, which the more plainly appears, for that the charge muſt be *yielded* or *made*, as upon *Gift*, *Loan*, *&c.* which muſt neceſſarily be intended unto ſome *perſon*, and no other perſon can be here colourably intended but the *King*.

And if the Petition, by any conſtruction, may extend againſt the commanding of any *Acts*, which in the execution may induce charges, yet ſuch charges muſt (according to the very

very words of the Petition) be *such like Charges*, that is, for Us or Our advantage, as the particular *Charges therein mentioned, of Gift, Loan, &c.* But this charging of the Subject with Arms for the neceſſary defence of the Kingdome cannot be ſaid for Our particular advantage, all Our Subjects having therein a common intereſt.

As for the meaning of the Petition inforced in the Objection from the Charges by Lord Lieutenants, and others complained againſt in the Preamble, ſure We are that thoſe muſt be ſuch in the particular, as are after contained in the generall words of the Prayer, to which We have anſwered before: And though it be to this purpoſe ſaid in the Declaration, That thoſe *Charges by Lord Lieutenants and others*, were meant of *charging of the Subject with Arms*, certainly no ſuch thing can appear in the Petition, which ſpeaks but onely of *divers charges*, but names none in particular; nor can there be any other aſſurance that the Houſes did intend any ſuch thing, but by Votes, wherein they onely ſpeak: and if any ſuch Votes had been, We doubt not but we ſhould have found them inſerted in this Declaration: And a particular complaint of ſo great a grievance (as Our Commiſſion is made to be) would have been expreſſed in the Preamble of the Petition, with the Quotations of Statutes to the contrary, as was done concerning other grievances. But in truth it is well known, That about that time, upon occaſion of our warres, there were divers other charges impoſed by Our Lieutenants, and others, of a farre differing nature, moſt of which were by direction from Us or Our Privie Councell, according to the exigency of the time and ſome former practiſe.

And We do believe, that there was at that time neither complaint or occaſion of complaint againſt the impoſing of Arms for home-defence of the Kingdome. Howſoever We are ſure that no ſuch complaint was particularly repreſented

unto Vs, or Our Anſwer intended thereunto.

And now to clear this ſenſe of the Petition out of the judgement of both Our Houſes this very Parliament, We demand this Queſtion: If ſo be the impoſing Arms for defence be a charge upon the Subject within the meaning of this Petition, how the two Houſes will juſtifie their Ordinance, which We are ſure they will not call an Act of Parliament; for without an Act of Parliament, no charge thereby provided againſt, can be impoſed upon the Subject; the words being plain, That no man ſhall be compelled to make or yield any Gift, Loan, Benevolence, Tax, or other ſuch like charge, *without common conſent by Act of Parliament.*

And now, ſince this Declaration hath given Vs ſuch occaſion to examine Our Commiſsion upon the Petition of Right, We ſhall conclude, out of that Petition, That that Parliament did conceive the powers of this Commiſſion warrantable in every point.

For it is plainly to be obſerved, that the Commons did then take into conſideration the generall grievances of the Kingdome, more particularly, concerning Military affairs, and therein the actions of Lord Lieutenants, and deputie Lieutenants with their Commiſſions and powers, and their exceeding of their power, as expreſſely the billeting of Souldiers, and the payment of Billet-money, Muſter-maſters fees, and others of that nature, were then in diſpute. And although the two Houſes could not but take notice of the impoſing of Arms upon the Subject by our Commiſſion of Lieutenancy, and their powers to Levy, Call together, Arm, Array, Train, and Muſter Our Subjects inhabiting in Our ſeverall Counties, and to conduct and lead them againſt all Our Enemies, and all Rebels and Traytours, from time to time, as need ſhould require, (in which particulars they contained the powers of Our Commiſsion of Array:) Yet the Complaint was not made againſt them, for what they did

by

by virtue of their Commiſſion (no more then againſt the Juſtices of Peace, though complained of, together with the Lieutenants) but for matters wherein they did exceed their Commiſsion, upon the Command, or direction from Vs, or our Councell; the Petition throughout diſtinguiſhing betwixt ſuch Commands, or Directions, and Our Commiſſions.

So that We conclude, here was not onely an admiſſion, but an approbation of thoſe powers, by that Parliament.

We come now to the recitall in the Preamble of the late Statute made this Parliament. The words are theſe:

For as much as great Commotions, and Rebellions have been lately raiſed and ſtirred up in his Majeſties Kingdome of Ireland, *by the wicked plots and conſpiracies, of divers of His Majeſties Subjects there (being trayterouſly affected) to the great endangering, not onely of the ſaid Kingdome, but alſo of this Kingdome of* England, *unleſſe a ſpeedy courſe be taken for the preventing thereof, and for the raiſing and preſsing of men for thoſe Services. And whereas, by the Laws of this Realm, none of his Majeſties Subjects ought to be impreſſed, or compelled to go out of his County, to ſerve as a Souldiour in the Warres, except in caſe of neceſsity of the ſudden coming in of ſtrange Enemies into the Kingdome, or except they be otherwiſe bound by the Tenure of their Lands or poſſeſsions, &c.* (upon which Preamble, there is, in that Statute, ſome proviſion made for a time for raiſing and impreſſing men for thoſe Services.)

And upon this Preamble, the concluſion is made in theſe words, *That this Commiſsion is directly contrary to this Declaration is ſo evident, that it requireth no application.*

To this Objection, We ſay, We might make Our Anſwer as ſhort as the inference is, by affirming, That it is evident, that this Commiſsion is not contrary to this recitall, And ſurely We think that what We have already opened, being applied to this Objection, would warrant that Anſwer.

But

But that We may leave nothing undone, that may tend towards the full ſatisfaction of Our good people, We ſhall alſo give this a particular anſwer.

Firſt, We ſay, That if this recitall had been an Act, yet there were nothing in our Commiſsion contrary to the letter of it, for that by this Commiſsion, no man is compellable by any ſpeciall words to go out of his County.

And the generall words, (giving power to the Commiſſioners, for leading them to the Sea-coaſt or elſewhere (as We have often repeated) are with theſe limitations: They are to lead them, but when there is imminent Danger of enemies, for defence of the Kingdome; and then onely they are to be led to ſuch places, as ſhall be neceſſary for the expulſion, vanquiſhing, and deſtruction of the ſaid enemies. And this is a caſe of neceſsity both within the words of this recitall, and according to the ſenſe of the ſame words, in the Statute of 1. E. 3. and 4. H. 4. (therein meant) as We have before ſhewed.

And thus We might leave this Objection, but that it implies a matter of a greater conſequence then plainly appears, That recitalls of the Law, in Preambles of Statutes are binding; For in this Objection, this recitall is called *a Declaration of the Law*, and Our Commiſsion ſaid to be *contrary to that Statute*, and it further implies, That even in the greateſt and moſt horrid Rebellion, the Subject cannot be compelled out of the County, for the ſuppreſsion thereof. But to this We anſwer, That the difference is apparent, between an act of Parliament declarative, and a recitall in a Preamble: For ſuch an *Act* (in any matter though miſtaken) being aſſented unto by Us, and Our two Houſes, is equally binding (as having equall authority) with an Act introductive of a new Law: But the recitall in a Preamble, is no part of the Act (the Royall aſſent being onely to that, which is expreſſely or tacitely prayed to be enacted:) Nor can it any

wayes

wayes ſo much as imply Our opinion: For otherwiſe, Kings muſt be inforced oftentimes to deny a good Law, for an ill Preamble; The conſequence whereof is great in ſuch an Act as requires expedition, where a Bill once denyed, is not regularly to be offered again in that Seſsion of Parliament.

And if it were needfull, divers miſtakes of the Law in Preambles might be produced by which We would be loth to bind our Subjects.

Nevertheleſſe, though Preambles be not in themſelves ſufficient to declare Laws, yet We deny not they are of good uſe, though not convincing Arguments to expound them.

And for Our power in the matter of Rebellion, beſides what hath been ſaid, We might alſo adde (if it were materiall to this Commiſſion,) Preambles, Recitals, and other neceſſary Inferences out of other Statutes (made ſince thoſe intended in this Recitall) which would prove, that in caſe of Rebellion, all Our Subjects ought to aſsiſt Us, and to attend Our Perſon, upon Our command, for the defence thereof, whenſoever We ſhould require it.

See 11. H. 7. *in the Preamble, That the Subjects, by the duty of their Allegiance, are bound to ſerve their Prince in his warres, for the defence of Him and the Land, againſt every Rebellion, Power, and Might, reared againſt him. And* 11 H. 7 c. 18. *Whereas every Subject, by the duty of his Allegiance, is bound to aſsiſt the King at all ſeaſons when need ſhall require; and moſt eſpecially ſuch as have by him promotion or advancement, as Grants, and Gifts of Offices, Fees, and Annuities, which are, and verily be bound by reaſon to give their attendance upon his Royall Perſon, to defend the ſame, when He ſhall fortune to go in his Perſon in warres for defence of the Realm, or againſt his Rebels and enemies. And* 5. El. cap. 5. *Be it enacted in favour of Fiſhermen and Mariners, That none of them ſhall hereafter at any time be compelled againſt his or their will, to ſerve as a Souldier upon the Land or Sea, otherwiſe then as a Mariner, except it ſhall be to ſerve under any Captain of ſome Ship or Veſſell for landing, to do ſome eſpeciall exploit, which Mariners have uſed to do, or under any other perſon, having authority to withſtand any Invaſion of Enemies, or to ſubdue any Rebellion within the Realm. And ſee* 19. H. 7. cap. 1. 2. & 3. E. 6. c. 2. *And* 4. and 5. Ph. & Mar. cap. 3.

And the truth is, the occaſion of this Act, now urged againſt us, appears to be for the ſervice of *Ireland*, and the intention of it (for ſo much as is the enacting part) was to take away all queſtion concerning the preſsing of the Sub-

jects of *England* for the ſuppreſsion of the Rebellion in *Ireland*; and ſo concerned forein ſervice, and not home-defence, either againſt Invaſion of Enemies or Rebels.

And thus farre the work of the Declaration hath been to overthrow Our Commiſsion by Statutes alledged to be directly againſt it. There remains yet ſome other Objections drawn from the opinion of former Parliaments, and the practiſe of Our ſelves and Our Predeceſſours, and thoſe not directly, but by inferences. But theſe, as we ſhall ſhew, are ſo farre from concluding againſt Our Commiſsion, that they rather prove the contrary.

The firſt of theſe Objections is upon the Statutes of 1. *Jac.* *c.* 25. and 21. *Jac.* *c.* 28. of Repeals, and is thus, That the Statute of 4. and 5. *Ph.* and *M.* *c.* 2. having repealed this Commiſsion (for ſo the Declaration ſuppoſeth) they had ſhewed little care of their own and the Subjects liberty, in the Parliament of 1. *Jac.* to repeal that Statute thereby to revive the power of this Commiſsion, which would have ſubjected the people to farre greater bondage: and from thence inferreth, That it is not probable that the Parliament of 1. *Jac.* would have repealed 4. and 5. *Ph.* and *M.* As likewiſe from the Statute of 21. *Jac.* (which repealed the Statutes of 13. E. 1. and 33. *H.* 8.) That it is not probable, that the Parliament of 21. *Jac.* would have repealed thoſe Statutes (which in a moderate manner proportioned the Arms every man was to find in certainty:) And ſuffer an Act (meaning this of 5. *H.* 4.) to continue, which eſtabliſhed a power in the King without limitation, not onely to impoſe Arms, but to command the perſons of the Subjects at pleaſure.

To this We ſay, that both the grounds of this Objection are miſtaken. For (as We have already ſhewed) neither is this Commiſsion repealed by the Act of 4. and 5. *P.* and *M.* Nor is there any ſuch unlimited Power given, or Bondage by

by it, as is pretended. And therefore Our Anſwer is, That it is no wonder that thoſe Parliaments might repeal 4. and 5. *P.* and *M.* as too hard; and 13. E. 1. and 33. *H.* 8. as of no uſe: and put the *Militia* of this Kingdome again wholly under the powers of this Commiſsion, (being ſo indifferent between both the other:) And indeed the *Militia* did after continue under Lieutenants, who had in effect the powers given by this Commiſsion.

And now We ſhall return this Objection thus:

That thoſe Parliaments of 1. *Jac.* and 21. *Jac.* would have ſhewed little care of the ſafety and defence of the Kingdome to have repealed thoſe Statutes which made proviſion for Arms, if they had thought there were no Law or Power left in the King to charge men with Arms for defence of the Kingdome, (as the Declaration affirms the Law now to be.)

But whoſoever conſiders that at that time, and long before, the power of impoſing arms, was put in execution by Lieutenants, and Deputy Lieutenants, by authority of their Commiſsions (which to this purpoſe are the ſame with Our Commiſsions of Array) and that this power was not complained of in thoſe Parliaments, muſt conclude it more then probable, that thoſe Parliaments did then conceive there was a ſufficient power remaining in the King to impoſe Arms.

The next Objection, is from the opinion of the Parliament of 4. and 5. *Philip* and *Mary*, *c.* 3. That if Our Commiſsion had been authorized by Act of Parliament, that Statute of *Ph.* & *Mar.* had been to little purpoſe, whereby the penalty of Impriſonment for ten dayes, or fourty ſhillings is impoſed upon ſuch as do not appear at Muſters, being Summoned thereunto, by the Kings Commiſsioners authorized for that purpoſe: Intimating, as that the Act of *Phil.* and *M.* would never have been made, if they had then conceived, that We had power to grant ſuch Commiſsions.

To this We anſwer, That the Particular Arms and proportions of Arms, were then before appointed by the Statute of 4. and 5. *Ph.* and *Mar. Cap.* 2. under certain penalties upon thoſe who ſhould be defective, and ſo a great part of the care of the Commiſſioners of Array was ſupplyed by the proviſion of that Statute; and the Commiſſions of Array being not ſo proper, but in time of Danger, and of a larger extent, then the power of muſtering, a Commiſſion of Muſter (which is part of the power of a Commiſſion of Array) would then ſerve the ordinary turn: and for every ordinary default, but at a Muſter, in a time of no danger, the puniſhment by 4. and 5. *Phil.* and *Mar. cap.* 3. was great enough.

And for return of this Objection, We ſay, (as We obſerved before) That this Statute gives no new power, to grant Commiſſions for Muſters, but admits the power to grant ſuch Commiſſions to have been in the King before that time. And whereas the Statute of 13. E. 1. appoints no other Officers but the Conſtables for view of Arms, it appears by theſe Statutes of *Phil.* and *Mar.* that the King might appoint His Commiſſioners: which he could not, if this power of Arms had been wholly grounded upon that Statute.

The laſt Objection of this nature, is grounded upon the Common opinion or practice; and is this:

That the Commiſſions of Lieutenancie, ſo grievous to the people, and declared illegall in Parliament, had not been ſo often iſſued, and ſo much preſſed upon them, if the Commiſſion of Array, not much differing from it in power, and not at all leſſe grievous to the Subject, might by the warrant and authoritie of the Laws of this Realm, have ſupplied their room.

To this Our Anſwer is, That it ſtands upon two grounds: Firſt, That the Commiſſions of Lieutenancie were grievous; Secondly, That they were illegall: both which ſo farre forth

at

at leaſt as to the powers wherein they did not exceed the power of this Commiſſion (for the other Powers are not now in queſtion) are clearly miſtaken.

For, as for the grievouſneſſe, we ſay theſe Commiſſions were ſuch as had been long uſed in the happieſt times of Our Predeceſſours, and continued to Our Time: And ſuch grievances, as did or might ariſe in the execution of theſe Commiſſions, not warranted by them, are no cauſe to quarrell at the Commiſſions themſelves, more then at the Commiſſions of Peace, becauſe ſome Juſtices of Peace have exceeded or abuſed their authoritie. And howſoever, Thoſe Powers wherein they exceeded not Our Commiſſion of Array could not be grievous, as we have already ſhewed.

And as for the illegalitie of thoſe powers, We ſhall not, nor will Our people be ſatisfied by bare Votes, that they are illegall, the ſame being done, without hearing of Our Councell, and without adviſing with the Judges and demanding their opinions, (a courſe which was formerly uſed in Parliaments, as appears even by this Record of 5.*H*.4. amongſt many others, but in matters of Law, which have of late riſen in Our houſes of Parliament hath (for what cauſe We know not) been laid aſide.)But we again ſay, theſe powers in our Commiſſions of Lieutenancies are legall, and if there be any clauſes in ſuch Commiſſions which are illegall, thoſe clauſes could not at all make the Commiſſions void, for ſo much as was legall, much leſſe take away Our power of granting new Commiſſions, omitting ſuch clauſes.

But if We ſhould, for this time, admit the grounds of this Objection, That Our Commiſſions of Lieutenancie had been ſuch as this Declaration would have them, yet it is but a very inconſequent Argument, That thoſe Commiſſions would not have iſſued ſo often, and been ſo much preſſed, if the Commiſſions of Array had been Legall.

For the Commiſſions of Lieutenancie contained not onely moſt of the powers of the Commiſſion of Array, but in many things exceeded them, and were iſſuable in times of Peace, whereas Commiſſions of Array commonly iſſued in times of Danger onely: And ſo there was occaſion for the one Commiſſion, when there was none for the other.

But on the contrary, (that We may retort this Objection alſo) ſince that the Commiſsions of Lieutenancie, not much differing from the Commiſsions of Array in Power, (as the Declaration ſaith) and in many things exceeding them, have ſo often iſſued in the reigns of ſeverall of Our Predeceſſours, and were allowed by the Judges of thoſe times, obeyed without diſpute, and not queſtioned in the Parliament of 1. *Jac.* or 21. *Jac.* nor were theſe powers wherein they agreed with the Commiſsion of Array complained of by the Petition of Right, but rather admitted and allowed, as We have already ſhewed, it may very well be inferred that both the Commiſsions of Lieutenancie and of Array, (as to thoſe powers at leaſt wherein they agreed) were Legall and farre from being any grievance to the Subject.

Thus farre We have proceeded in the Examination and clearing of the Objections made againſt Our Commiſsions of Array. Upon all which Objections, We ſhall further obſerve: That although the Declaration denies Our power at this day of commanding *to train or exerciſe*; yet none of thoſe Objections touch any thing upon thoſe Powers. So that if all were true which is Objected, yet We ſhould ſtill have power (at leaſt by a diſtinct Commiſsion) to command Our Subjects to be Diſciplined, Muſtered, Trained and Exerciſed, with ſuch Arms as they had in a readineſſe; for that (as We have ſhewed before) theſe are diſtinct from the power of *Impoſing of Arms*, and may be ſeverally granted or executed.

And now upon the whole matter, the ſtate of Our caſe is

is this. It is Voted by Our Houſes of Parliament, That Our Kingdome is in imminent danger of deſtruction from enemies abroad, and a diſcontented Partie at home; & that there is a neceſsitie to put Our people into a poſture of Defence.

In this caſe, for defence of Our ſelves and Our Kingdome, We have awarded Our Commiſſions of Array, thereby giving power to the Commiſſioners (perſons, We hope, beyond exception) to cauſe Our Subjects to arm themſelves, or, if impotent in body, to find arms for others, according to their abilities, in a reaſonable and moderate proportion, and to muſter and train them at convenient times and places, and afterwards, upon occaſion to lead them, where there is a neceſſity for the defence of the Kingdome, and the Expulſion, vanquiſhing, and Deſtruction of Enemies.

And We have ſhewed, That the Powers of theſe Commiſſions are grounded upon the very principles of government, and that without them We could not defend, and protect Our Subjects, (as We are bound by Our oath at Our Coronation) That they are warranted by the Ancient Common Law, allowed by the conſtant practice of former ages, eſtabliſhed by the Parliament of 5. H. 4. (which cauſed a Copie of theſe Commiſſions to be entred upon the Roll, as a Rule or Preſident for after times) and are not repealed, or altered by any Statutes now in force.

And yet, though this Danger, and the neceſſitie of putting the Kingdome into a Poſture of Defence, is thus agreed by both Houſes; nevertheleſſe, this Commiſsion, and all others of like nature, are by their Declaration ſaid to be illegall; And it is thereby denyed, That We have, at any time, Power to charge Our Subjects with any manner of Arms (though for the abſolute neceſſary defence of the Kingdome) or that We can command them to be trained or exerciſed, much leſſe to be led out of the Countie, though an Enemie be readie to enter, or though Rebels be actually up in Arms.

How

How farre this opinion is consistent with Law, Reason, or regall Power, the safety of Our selves, and Our Subjects, (upon all this which We have said) We leave to all Our good people to consider.

And since Our two Houses (denying Us this Power) without Us, and against Our consent, have made Orders (which they call Ordinances) for compelling Our Subjects to be Armed, Trained, Exercised, Mustered and conducted, and send for Our Subjects as Delinquents, and imprison them, for refusing to obey such Orders; It is apparent, That what this Declaration saith against Our Commission, without just ground, is true indeed of those Orders, that is, That they are contrary to the Law and Customes of the Realm, destructive to the Liberty and Property of the Subjects, and contrary to the Petition of Right (as it is expounded in this Declaration,) as also against other Statutes.

FINIS.



PVRITANO-IESVITISMVS,

THE

PURITAN

TVRN'D

JESUITE;

OR RATHER,

OVT-VYING HIM IN

those Diabolicall and dangerous Positions, of the Deposition of KINGS; from the yeare, 1536. untill this present time; extracted out of the most ancient and authentick Authours.

By that Reverend Divine, Doctour OVVEN, Batchelour of Divinity.

Shewing their concord in the matter, their discord in the manner of their sedition.

August in Psal. 36. Conc. 2.

Tunc inter se concordant cum in pernicium justi conspirant, non quia se amant, sed quia eum qui amandus erat simul oderunt.

Printed for *William Sheares*, at the signe of the Bible in *Covent-garden*, 1643.



To the dutifull Subject.



THe *Puritan-Church-Policy*, and *Ieſuiticall Society* began together: a the one in *Geneva*, 1536 and the other in *Rome*, 1537. ſince their beginning, they have beſtirred themſelvs buſily (*as hee that compaſſeth the* b *earth, or they that coaſted* c *ſea and land,*) each one in his order. The *Puritan* to breake down the wall of *Sion*, by diſturbing the peace of the *reformed Church*: the *Ieſuite* to build up the ruines of *Babylon*, by maintaining the abomination of the *deformed Synagogue*. Theſe (though brethren in ſedition and heady) are *head-ſevered*, the one ſtaring to the *Preſbyterie*, and the other to the *Papacie*, but they are ſo faſt linked behind, and *tayle-tied* together with *firebrands* between them, that if they bee not quenched by the power of Majeſty, they cannot choſe (when the meanes are fitted to their plot) but ſet the *Church* on fire, and the *ſtate* in an uprore. *Their many and long Prayers*, their *much vehement preaching*,

a See M. Hookers preface. And the preface of *Chemnic.* before his examen. againſt the firſt part of the Councell of Trent.

b Iob 1.7. Mat. 23.15.

and ſtout oppoſition againſt *orders eſtabliſhed*; their ſhew of auſterity in their converſation, and of ſingular learning in their profeſſion, (*as the evill fiend transformed into an angel of light*) brought them firſt to admiration. Wherby they have not only *robbed widowes houſes*, under pretence of prayer, and ranſacked their *ſeduced diſciples* by ſhew of devotion, but alſo battered the *courts of Princes*, by animating the *Peeres* againſt *Kings*, and the *people* againſt the *Peeres*, for pretended *reformation*. And whereas, God hath inſeparably annexed to the *crowne of earthly Majeſty*, *a ſupreme eccleſiaſticall ſoveraignty* for the protection of *pietie*; and an abſolute *immunitie* from the judiciall *ſentence*, and Martiall *violence*, for the preſervation of *policy*: Theſe ſectaries bereave Kings of both theſe their *Princely prerogatives*, *exalting themſelves* (as the ſonne of perdition) *above all that is called God*: Leſt they might ſeeme, *ſine ratione inſanire*, to ſow the ſeeds of ſedition without ſhew of reaſon, *Eadem faciunt ſcripturarum* (as the heretikes in *Tertullians* time were wont to doe) *in materiam ſuam*; they kill the Scripture to ſerve their turnes: and pervert the holy word of the *eternall God*, by ſtrange interpretation, and wicked application, againſt the meaning of the *Spirit*, by whom it was penned; the doctrine of the *Church*, to whom it was delivered; and the practiſe of all the *Godly*, (as well under the *Law* as the *Goſpel*) that did beleeve, underſtand, and obey it; to maintaine their late, and lewd opinions. I have in my hand *above forty ſeverall places of the old and New Teſtament*, which both the brethren of the enraged

2 Theſſ. 2. 4.

op-

oppoſite faction doe indifferently quote, and ſeditiouſly apply, in defence of their dangerous oppoſition, and damnable error, againſt the *Eccleſiaſticall ſupremacy*, and the *indeleble character of Royall inunction*. Vnto the which places, falſly expounded, perverted, and applyed, I haved added the interpretation of the learned *Proteſtants* ſince the time of *Martin Luther*, who began to diſcover the nakedneſſe of the *Romiſh Church*, 1517. More eſpecially inſiſting in the [a] moſt mighty Kings, the moſt reverend Prelates, honourable Lords, loyall Clergie, and other worthy men, that have in the Church of *England*, learnedly defended the Princely right, againſt diſloyall, and undutifull opponents: which by *Gods* helpe I meane to publiſh, when I have added the expoſition of the *Fathers*, to confute the falſhood of the *Puritan popiſh-faction*, and to confirme the truth of the *Proteſtants Doctrine* in each particular quotation. I proteſt in all ſincerity, that I neither have in this treatiſe, nor meane in the other, *hereafter to be publiſhed*, to detort any thing, to make either the *cauſe* it ſelfe, or the *favourers* of it more *odious*, then their owne words, (publiſhed with the generall approbation of their ſeverall favourites) doe truly infer, and neceſſarily inforce. I hope the loyall ſubject and *Godly* affected, we accept in good part my endeavour, and induſtry, intended for the glory of *God*, the honour of the *King*, and the diſcoverie of *the ſeditious*. The diſpleaſure of the *male contented factions* (which can no more abide the truth, then the Owles can light, or the Franticke the Phyſician) I neither regard nor care for. *Farewell.*

[a] K. Henry 8.
K. Iames.
Th Cranmer
Io. Whitgift.
Ric. Bancroft
Arch. of Cant
Henry Earle of Northam.
Robert Earle of Salisbury.
The L. Burleigh, L. Treſurer of England.
The L. Elſmere Lord Chancellor of England.
The L. Staffford.
The L. Cook
B Iewell.
B Horne.
B Pilkington.
B Elſmere.
B Couper.
B Bilſon.
B Babington.
B Andrewes.
B Barlow.
B Bridges.
D Ackworth.
D Saravia.
D Coſens.
D Sutcliffe.
D Prythergh
D Wilkes.
D Morton.
D Tocker.
M Bekinſaw.
M Foxe.
M Nowell.
M Hooker, & many others.

The Table of the Booke.

The

- duty of
  - Prelates, Peeres, People,
    - by Scripture, Chap. 1. pag. 1.
    - by Fathers of the
      - first 300 years — cap. 2 — pag. 3
      - second 300 years — cap. 3 — pag. 7
      - third 300 years — cap. 4 — pag. 18
      - fourth 300 years — cap. 5 — pag. 21
      - fifth 300 years — cap. 6 — pag. 26
- sedition of
  - Puritans
    - Concord in the matter, Discord in the manner — of sedition. — cap. 7. p. 31
    - Danger of their Doctrine to Prince, People — cap 8. p. 37.
  - Papists
    - Puritan-Jesuitisme, or the generall consent of the principall Puritans and Iesuites, against Kings, from the yeare 1536. untill the yeare 1602. out of the most authenticke Authors. — cap 8. p. 46.

BRITISH

THE FIRST CHAPTER

Proveth by the teſtimony of Scripture, that Kings are not puniſhable by man, but reſerved to the judgement of God.

KIngs have their authority from God [a], and are his Vicegerents in earth, [b] to execute juſtice and judgement for him amongſt the Sonnes of men [c]. All ſubjects (as well Prelates and Nobles, as the inferiour people) are forbidden with the *tongue*, to revile Kings [d], with the *heart*, to thinke ill of them [e], or with the *hand*, to reſiſt them [f]. The great King of Heaven doth impart his owne name unto his *Lievetenants* the Kings of the Earth: and calleth them *Gods*, with an *ego dixi* [g], whoſe word is *Yea* and *Amen*: with this onely difference, that theſe *Gods ſhall dye like men* [h], and fall like other Princes. Wherefore *Nathan* the man of God, muſt reprove *David* [i], that hee may repent, and bee ſaved. And the Sages, Iudges, and Nobles, (without

[a] Rom. 13. 1.
[b] Prov. 8. 15.
[c] 2 Chron. 19. 6.
[d] Exod. 22. 28.
[e] Eccl. 10. 20.
[f] Rom. 13. 2.
[g] Pſal. 82. 6.
[h] Pſal. 82. 7.
[i] 2 Sam. 12. 7.

 feare

[k] 1 Reg. 12. 7. feare or flattery) muſt adviſe and direct *Roboam*[k]. Other attempts againſt Kings, the King of Kings hath neither commanded in his law, nor permitted in his Goſpell. *David* (ſaith *Ambroſe*) *nullis legibus tenebatur, &c. David* though hee were an adulterer, and an homicide, was tied to no law: for Kings are free from bonds, and can by no compulſion of law, bee drawne to puniſhment, being freed by the power of Government. Thus farre *Ambr.*

Apolog. David cap. 10.

Saul the firſt King of *Iſrael* was rather a monſter, then a man: after the Spirit of God had forſaken him, and the evill Spirit was come upon him[m]. There were not many ſinnes againſt God, Man, or Nature, wherein hee trangreſſed not; yet his exceſſe was puniſhed, neither by the Sacerdotall Synod, nor the ſecular Senate: *Who can lay his hand on the Lords annointed, and bee guiltleſſe*[n]? The very Annointment was the cauſe of *Sauls* immunity from all humane coercion: as *Auguſtine* affirmeth, *Quæro ſi non habebat, Saul ſacramenti ſanctitatem; quid in eo David venerabatur?* If *Saul* had not the holineſſe of the Sacrament, I aske what it was that *David* reverenced in him? hee honoured *Saul* for the ſacred and holy unction, while hee lived: and revenged his death. Yea, hee was troubled and trembled at the heart, becauſe hee had cut off a lap of *Sauls* garment. Loe, *Saul* had no innocency, and yet hee had holineſſe: not of life, but of unction. So farre *Auguſtine.*

[m] 1 Sam. 16. 14.

[n] 2 Sam. 16. 9.

Aug. contr. lit. Petil. l. 2. c. 48.

Who queſtioned *David* for his murther and adultery? who cenſured *Solomon* for his idolatry? though their crimes were capitall by the law of God. After that Kingdome was divided, all the Kings of *Iſrael*, and moſt of the Kings of *Iudah*, were notorious Idolaters: yet during thoſe Kingdomes, which endured above 200. yeares, no Prieſt did chalenge, no States-men did claime power from the higheſt, to puniſh or depoſe their Princes. And the Prophets perſwaded all men to obey, and endure thoſe idolatrous Princes, whoſe impiety they reproved with the loſſe of their lives.

Chriſt fled when the people would have made him a King

King [a]. Hee payed tribute for himſelfe and *Peter* [b]. When the queſtion was propounded concerning the *Emperours* ſubſidy, hee concluded for *Cæſar* [c]. And ſtanding to receive the judgement of death before *Pilate*, hee acknowledged his power to be of God [d]. This *Saviour of Mankind*, whoſe actions ſhould bee our inſtruction, did never attempt to change that Government, or to diſplace thoſe Governours, which were directly repugnant to the ſcope of *Information* that hee aimed at.

[a] Ioh. 6. 15.
[b] Matth. 17. 27.
[c] Matth. 22. 21.
[d] Ioh. 19. 15.

Iohn Baptiſt did indeed reprove King *Herod* with a *Non licet* [e], but he taught not the ſouldiers to leave his ſervice, or by ſtrife and impatience, to wind themſelves out of the band of allegiance, wherein the *law* had left them, and the *Goſpell* found them [f].

[e] Mark. 6. 18.
[f] Luk. 3. 14.

The *Apoſtle* delivered unto the Church the doctrine of obedience and patience, which they had learned by the precept, and obſerved by the practiſe of our Lord CHRIST. *Peter* commandeth obedience to all manner of men in authority [g]. *Paul* forbiddeth reſiſtance againſt any power [h]. And Saint *Iude* maketh it blaſphemy, to revile government, or to ſpeake evill of Governours [i]. *If therefore an Angell from heaven preach otherwiſe, then they have delivered, let him bee accurſed* [k].

[g] 1 Pet. 2. 13.
[h] Rom. 13. 1, 2. 3. 4.
[i] Iude 8.
[k] Gal. 1. 8.

The ſecond Chapter proveth the ſame by the Fathers of the firſt 300. yeares.

THe true Church, which had the Spirit of underſtanding, to diſcerne the voice of Chriſt, from the voice of a *ſtranger*, never taught, never practiſed, never uſed or approved other weapons, then ſalt teares, and humble prayers againſt the *Paganiſme*, *Hereſie*, *Apoſtacy*, and *Tyranny* of earthly Kings.

Iuſtinus Martyr, *Tertullian*, and *Cyprian* ſhall beare witneſſe for 300. yeares, wherein the Kings and Potentates of the earth, bathed themſelves in the bloud of innocents, and profeſſed enmity againſt Chriſt and his ſervants.

Adinquiſitionem veſtram, Chriſtianos nos eſſe profitemur, &c. At your inquiſition, we profeſſe our ſelves to be Chriſtians, though wee know death to bee the guerdon of our profeſſion (ſaith *Iuſtine Martyr* to the Emperour *Antoninus*,) did wee expect an earthly Kingdome, wee would deny our religion, that eſcaping death, wee might in time attaine our expectation: But we feare not perſecution, which have not our hope fixed on the things of this life, becauſe we are certainely perſwaded, that wee muſt die. As for the preſervation of publike peace, we Chriſtians yeeld to you (O Emperour) more helpe and aſſiſtance, then other men. For wee teach, that no evill doer, no covetous man, nor ſeditious, that lieth in wait for bloud, can have acceſſe to God: And that every man doth paſſe to life or death, according to the merit of his deeds: Thus farre hee.

Secund. Apolog. ad Ant. Imp. p. 113.

We (ſaith *Tertullian* to *Scapula* the Viceroy of *Carthage*) are defamed, for ſeditious againſt the Imperiall Majeſty: Yet were the Chriſtians never found to be *Albinians*, *Nigrians*: or *Caſſians*, (*Albinus*, *Niger*, *and Caſſius were Traytours againſt Marcus Antonius*, *Commodus*, *Pertinax*, *and Severus the Emperours*) but they that ſware by the Emperours diety, the very day before: they that vowed and offered ſacrifice for the Emperours health, are found to be the Emperours enemies. A Chriſtian is enemy to no man, much leſſe to the Emperour: knowing, that the Emperiall Majeſty, is ordained of God, and therefore neceſſarily to bee loved, reverenced, and honoured, whoſe proſperity, together with the welfare of al the *Roman* Empire they deſire ſo long as the world ſtandeth. We doe therefore honour the Emperour, in ſuch ſort, as is lawfull for us, and expedient for him: wee reverence him as a mortall man, next unto God, of whom hee holdeth all his authority, onely ſubject to God, and ſo wee make him, ſoveraigne

Tertull. lib. ad Scap.

raigne over all, in that, wee make him ſubject, but to God alone: So farre *Tertullian*.

Saint *Cyprian* ſheweth many good reaſons, for the patience of the Saints, in his booke againſt *Demetrianus*. God (ſaith hee) is the revenger of his ſervants, when they are annoyed. Wherefore no Chriſtian when hee is apprehended, doth reſiſt or revenge himſelfe againſt your unjuſt violence, though the number of our people bee very great. The confidence wee have, that God will reward, doth confirme our Patience, the guiltleſſe give way to the guilty, the innocent reſt content with their undeſerved puniſhment, and tortures, being certainly aſſured that the wrong done to us, ſhall not bee unrewarded. The more injury we ſuffer, the more juſt and grievous ſhall Gods vengeance be on them that perſecute us. It is therefore cleare and manifeſt, that the plagues which come downe from Gods indignation, doe not come through us poore perſecuted Chriſtians, but from him whom we ſerve, for the wrong done unto us. So far *Cyprian*.

As many as lived according to Chriſts inſtitution, did never revile the Government of Tyrants, much leſſe by force reſiſt their violence, following the patience of Chriſt, who could by his owne power, the might of his Angels, or the ſtrength of his creatures, have at the firſt withſtood; or, at the laſt revenged, the injury of the people, the buffet of the Prieſts ſervant, the ſcorne of *Herod*, the judgement of *Pilate*, and the violence of the ſouldiers. Hee yeelded himſelfe patiently to death, to teach all his Diſciples, that an injury done by authority, is patiently to bee endured, not forcibly to bee repelled. As ſoone alſo as *Paul* became a Chriſtian, his ſeditious and bloudy Spirit, which he had learned of the Phariſies, was changed into a deſire of peace, and quietneſſe. Hee honoured the Heathen Magiſtrates, as *Agrippa*, *Felix*, and *Liſias*, ratifying his Doctrine, by the practiſe of his life. I know that Cardinall *Alane*, Cardinall *Bellarmine*, *Fickerus*, *Simancha*, & other upholders of the Papall tyrannie, that *Stephanus Junius*, *Franciſcus Hottomanus*, *Georgius Buchananus*, and

Ioh. 19. 15. Ioh. 18. 22. Luk 23. 11. Mark. 15. 15. Matth. 27. 27. 28. 29.

and other pillars of the *Puritane* anarchy, doe answere, that the Church then, as it were swathed in the bonds of weakenesse, had not strength sufficient to make powerfull resistance. But these *Fathers* that then lived, doe convince them, and all other sectaries of falshood, by making demonstration, of the strength and potency of the godly Christians, in case they would have put their forces to the strongest proofe. Seing that all publike places as Courts, Camps, Consistories, Cities, and Countrey villages, were stored and furnished with men of that profession and quality, as doth most evidently appeare by the words of *Tertullian*, in his Apologeticall defence of the Christians: *Vna nox pauculis faculis, &c.* One night with a few firebrands, would yeeld us sufficient revenge, if it were lawfull for us to requite evill for evill. But God forbid, that Christians should either revenge themselves with humane fire, or be grieved to suffer that wherewith they are tried. Were we disposed, not to practise secret revenge, but to professe open hostility, should we want number of men, or force of armes? Are the Moores, or the Parthians, or any one Nation whatsoever, more in number then wee, that are spread over all the World? Wee are not of yon, and yet wee have filled all the places and roomes which you have. Your Cities, Ilands, Castles, Townes, Assemblies, your Tents, Tribes, and Wards; yea, the Imperiall Pallace, Senate, and seats of judgement. For what warre, were not wee, able and ready, though wee were fewer in number then you, that goe to our Martyrdome so willingly? if it were not more lawfull in our religion to bee slaine, then to slay? wee could without armour, not by rebelling against you, but by departing from you, doe you displeasure enough, even with our separation. For if so great a multitude, as we are, should breake out from you, as in any other corner of the World, the losse of so many Citizens would shame and punish you. You would feare, to see your selves left solitary, even amazed, as among the dead. You should then see, silence and desolation every where. You would have many more enemies, then



then inhabitants. Whereas now, you have fewer enemies, because of the multitude of your Citizens, that are almost all Christians. *Hæc Tertullian.* Wee see by these three witnesses, that the Church of God, in the first 300. yeares wanted, neither number of men, strength, nor courage to resist persecution, and to have established the Christian faith, if that course had beene lawfull: but because their Lord had given them no sword to strike withall, they chose rather to bee crowned *Martyrs*, for their Religion, then to bee punished as Traytours for rebellion. What number of men, what strength of armes had the Church (thinke you) the next 300. yeares after it had beene backed by Princes, defended by lawes, provoked by honourable favours, to professe Christianity? Yet all that while, the servants of God, neither did nor would resist Apostasie Heresie, or Tyranny: but yeelded their lives, with all submission, though they wanted neither meanes nor multitude, convenient for any warres, as the next chapter by impregnable demonstration, shall shew.

The third Chapter proveth by the Fathers, of the second 300. yeares that the pleasure of Princes, must bee endured with patence, when their decrees cannot bee obeyed with a good Conscience.

THe next 300. yeares, the Christians did as patiently endure Heresie, Apostasie, and Tyranny to the glorious triall of their faith, and the eternall reward of their patience. Whereof wee have a cloud of witnesses, namely, *Hosius Liberius Athanasius, Hilarius, Basilius Magnus, Gregorius Nazianzenus, Lucifer Calaritanus, Cyrillus Alexandrinus,*

drinus, Optatus Milevitanus, Ambroſius, Auguſtinus, Chryſoſtomus, Leo the firſt, and Gregory the great.

Hoſius was a famous Confeſſor in the Church, before Conſtantine the great, a worthy Biſhop during that Emperours raigne, and after his death greatly eſteemed of all good men, yea even of Conſtantius the Arrian Emperour himſelfe, for his old age, great experience, excellent learning, and good converſation. When this worthy Prelate, was commanded by the Emperour, to ſubſcribe to the condemnation of Athanaſius, hee returned to the Imperiall Majeſty, this ſtout, conſtant, Chriſtian, and dutifull anſwere; *Ego confeſſionis munus implevi primum, cum perſecutio moveretur, ab avo tuo Maximiniano*: I was then a Confeſſor, when your Grandfather *Maximinian* perſecuted the Church. And if you doe now raiſe perſecution, I am ready to endure any thing, rather then betray the truth and ſhed innocent bloud. I doe not like your manner of writing againſt *Athanaſius*: Ceaſe from it, bee not of the Arrian opinion: Give no eare to the Eaſterne Biſhops: beleeve mee rather, that for age might bee your Grandfather. Leave off I beſeech you, and call to mind, that you are a mortall man. Feare that dreadfull day of judgement. Interpoſe not your ſelfe (O Emperour) into the Eccleſiaſticall ſervice, neither command us in this kind, to condemne the innocent: but learne rather of us. God hath entruſted your Majeſty with the Empire, and committed unto us, the ſervice of the Church: hee that with an envious eye, maligneth your imperiall Soveraignty, contradicteth the ordinance of God. Take heed (O Prince) leaſt drawing to your ſelfe the right of the Church, you become guilty of grievous tranſgreſſion. It is written, Give unto Cæſar the things that are Cæſars, and to God the things that appertaine to God; it is therefore, neither lawfull for us Prieſts, to uſurpe your Kingdome: not for you Princes, to meddle with the ſacred ſervice, and ſacrifices of the Church. Thus farre *Hoſius*. You ſee the grounds, that this good Biſhop ſtood upon: rather reſolved to ſuffer any death or torture,

Obſequere & ſcribe contra Athanaſium *qui enim contra illum ſcribit ille plane nobiſcum, &c.*

Hoſius *apud* Athan. *ad ſolitariam vitam agentes.*

torture, then by his consent to betray the truth, or to condemne the guiltlesse. He admonisheth freely, and reproveth sharply, hee offreth his life to the Princes pleasure: It was farre from his meaning, to revile the sacred Majesty, or to stirre up any rebellion, against this Heretical Emperour, which infringed the *Canons* of the Church, without all regard of truth or equity, to serve the humours of the Arrians, and to wreck his anger on them all, which yeelded not to that heresie.

Liberius a Bishop of *Rome*, did neither excommunicate nor depose this wicked Emperour *Constantius*, but appeared at his command, and endured his pleasure, to the admiration of the Arrians, and the confirmation of the Christians, as wee find in *Athanasius, Trahitur Liberius ad Imperatorem, &c.* *Liberius* was haled to the Emperour, when hee came to his presence hee spake freely, Cease (said hee) O Emperour, to persecute the Christians, goe not about, by any meanes, to bring Heretical impiety into the Church of God. Wee are ready, rather to endure any torture, then to bee called Arrians. Compell us not to become enemies unto Christ. Fight not against him (wee beseech you) that hath bestowed the Empire upon you. Render not impiety to him for his grace, persecute them not which beleeve in him, least you heare, *It is hard for thee to kick against the prick.* Act. 9. 5. Oh would to God you did so heare it that you might (as *Paul* did) beleeve it. Loe wee are at hand, and come to your presence, before our enemies the Arrians can invent any thing to informe against us, wee hastened to come at your command, though wee were assured of punishment: that wee might abide our punishment, before any crime could bee objected, much lesse proved against us. Whereby it may appeare, that all Christians are (as wee now bee) undeservedly punished, and the crimes laid to their charge not true but fained by sycophancy or deceitfull subtilty. Thus spake *Liberius*, and every man admired his resolution, but the Emperour for answer commanded him to banishment. Thus he

Liberius quo supra apud Athanas.

Pope *Liberius* had not learned the language of his Successour *Pius Quintus*, when hee bellowed against our late Queene, nor that principle of the Puritans, that the inferiour Officer may use force of armes against the chiefe Magistrate that shall become a Tyrant (*Whereof every seditious Sectary will bee iudge*) and not onely defend himselfe, and his owne people, but also any other that shall fly unto him. Which opinion *Lambertus Danaus* avoucheth, contrary to the Law, the Gospell, and the generall consent of all Orthodoxall Fathers.

Polit. Christ. l. 6. c. 3.

Hilarius, a Bishop of *France*, wrote the same time to this same Emperour in most humble manner, *Benefica natura tua Domine beatissime Auguste*: Your mild nature, most blessed Emperour, agreeing with your gracious disposition, and the mercy which floweth abundantly, from the fountaine of your Fatherly godlinesse, doe assure us, that wee shall obtaine our desire. Wee beseech you, not onely with words, but also with teares, that the Catholique Churches, bee no longer oppressed with grievous injuries, and endure intollerable persecutions, and contumelies, and that (which is most shamefull) even of our brethren. Let your Clemency provide, &c.

Hilarius ad Imper. Constant.

Surely, if it had then beene knowne, that the Pope, by his absolute power or indirect authority, could have punished or deposed Kings, which the Papists avouch, or for the Peeres or the people to have done it, which the Puritans affirme, some of these old Bishops, would have pressed that point against this Heresticall Prince, which abused his sword, to the blaspheming of Christ, the murthering of the Saints, the seducing of many thousand soules: by strengthening, maintaining, and establishing the Arrian errour. But they tooke it to bee no Christian mans part, to beare armour (no not defensive) against his Prince, though never so wicked, cruell, or ungodly.

Holy *Athanasius* confesseth the power of Kings to bee of God, and their impiety not to bee punished by man.

Sicut

Sicut in toto mundo Deus Rex est Imperator & potestatem exercet in omnibus: As God is King and Emperour over all the World, and exerciseth his power in all creatures: so the King and Prince is over all earthly men, and doth by his absolute power, what hee will, even as God himselfe. *Hec ille.* *Ad Antioch. quæst. 55.*

When it was objected against this reverend Father *Athanasius*, that hee had incensed *Constance* the Religious Emperour of the West, against *Constantius*, in the behalfe of the persecuted Christians: hee cleared himselfe from that accusation, in an Apologie to the said Emperour *Constantius*. The Lord (saith hee) is my record, and his annointed your brother, that I never made mention of your Majesty for any evill, before your brother of blessed memory, that religious Emperour *Constance*. I did never incite him against you, as these Arrians doe slander mee, but whensoever I had accesse unto him, I recounted your gracious inclination. God knoweth, what mention I made of your godly disposition. Give mee leave and pardon (most courteous Emperour) to speake the truth. The servant of God *Constance*, was not easily drawne to give eare to any matter in this kind. I was never in such credit with him, that I durst speake of any such matter, or derogate from one brother before another, or talke reprochfully of one Emperour, in the hearing of another. I am not so mad, neither have I forgotten the voice of God, which saith, Curse not the King in thine heart, and backbite not the mighty in the secrets of thy Chamber: for the birds of the aire shall tell it, and the winged foule shall bewray thee. If then, the things that bee spoken in secret against Princes, cannot bee hid; is there any likelihood, that I in the Emperours presence, and before so many, as continually attended his person, would say any thing otherwise then well of your Majesty? Thus farre *Athanasius*. This is sounder and seemelier doctrine for subjects, then that which *Henry Garnet* and *Robert Tesmond*, taught some *Romish* Catholike Gentlemen *Apolog. Athan. ad Constant.*

of *England*, who imployed *Thomas Winter* into *Spaine*, in the Moneth of *December*, *Ann. Dom.* 1601. to make request to the *Spaniſh* King, in the behalfe and names of the *Engliſh* Pope-catholikes, that hee would ſend an army hither into *England*, for the advancement of their Catholique cauſe; and to promiſe, that the forces of the *Papiſts* here ſhould bee ready to doe him ſervice againſt the late Queene.

L. *Cooke* in his ſpeech at *Garnetts* arraignment.

The ſelfe ſame Doctrine of ſedition, was publiſhed in the yeare after, *viz. Ann. Dom.* 1602. by *Gulielmus Bucanus*, a man of no meane eſteeme among the *Puritans*, and that, at the earneſt requeſt of *Beza* and *Goulartius*, the chiefeſt Miniſters of the Church of *Geneva*, (if the Authour himſelfe belye them not,) whoſe words are as followeth: *Subditis ſi ſit publica & manifeſta ſævitia, licet ſieri ſupplices, implorare auxilia ab aliis, & ſuſcipere eorum defenſi nem aliis regibus licet*: Subjects, when they endure publique and manifeſt wrong, may lawfully become ſuppliants to forraigne ſtates, and crave their aid againſt their Princes; and other Kings ought to take upon them their defence and protection. So farre *Bucan.*

Loc. com. Theol. loco: 77. p. 845.

Subjects muſt ſquare their ſubjection, according to the rule of Gods word, not after the affection and fancies of men. [a] *Saul* commanded *Doeg* to murther 85. Prieſts, to deſtroy their City, Men, Women, and Children with the edge of the ſword. Did *David*, for whom they were ſlaine, when hee had *Saul* in his power, take revenge, or ſuffer his ſervants to doe it, when they were ready and offred themſelves to ſlay *Saul*? *David* [b] defiled *Vriah* his bed, and cauſed him to bee killed: Did *Abſalon* well to conſpire againſt him, that was both a Murtherer and an Adulterer? *Solomon* [c] brought into the land many ſtrange Wives, and as many *different Religions* into the Church: Did the high Prieſt, the Peeres, the Prophets, or the people, offer to chaſtice or depoſe him? *Achab* [d] ſuffered *Jezabel* to put *Naboth* to death, and to kill the Lords Prophets:

[a] 1 Sam. 22. 18.

[b] 2 Sam. 11. 4. 17.

[c] 2 Reg. 11. 8.

[d] 1 Reg. 21. 8, 9.

phets: Did *Elias* depose him, intice his subjects to rebell against him, or implore forraigne aid to destroy him? *Herod* [c] beheaded *Iohn Baptist*, killed *Iames*, imprisoned *Peter*, and would have slaine him also, if hee had not beene delivered by an Angell: Did *Peter* take vengeance on *Herod*, which hee might have done with a word, as well as on *Ananias*? No: he did leave him to the Lord, whose judgement insued in most [e] fearefull manner. In a word, wicked Princes have never beene lawfully punished by Prelates, Potentates, or people of their Kingdome, as the *Papists* and *Puritans* averre: but must bee referred to the judgement of God, as the *Protestants* affirme.

[c] Mark. 6. 27. [d] Act. 12. 24. [e] Act. 5. 5. [f] Act. 12. 23.

Gregory Nazianzen in his oration at the funerall of Saint *Basil*, reporteth, that the Emperours Deputy in *Pontus*, commanded Saint *Basil* to put out a widow, that had taken sanctuary to save her selfe from forced marriage. The Bishop (not willing to violate the Ecclesiasticall lawes granted by the Imperiall Majesty) refused so to doe. The Governour called the Bishop before him, threatned to whip him, and to teare his flesh with iron hookes: the people hearing that indignity offered to the Bishop, fell to an uproare, and would have slaine the Lievetenant, *Had not that innocent man of God, with much adoe, stayed that furious tumult, and delivered his persecutour from that perill, to whose pleasure hee did afterward submit himselfe.*

Basilium Magnum. *Monodia Nazian. inter opuscula Basil, fol. 95.*

The same *Nazianzen*, for his admirable learning called the *Divine*, writeth of *Iulian* the Apostata-Emperours death: *Iulian* was punished by the mercy of God, through the teares of Christian men: which teares were many, and shed of many, for that they had no other remedy, against that persecutour. Thus farre *Nazianzen*. This good Father lived under five Emperours, *Constantius*, *Iulianus*, *Valens*, *Valentinianus*, and *Theodosius*, in all which time, hee could find no remedy against the Tyrannie, Heresie, and Apostasie of Princes, beside prayers and teares: The Devill of Hell had not as yet hatched the distinctions

2 Orat. cont. Julian.

ons of *proprie* and *improprie*, *directè* and *indirectè*, *simpliciter* and *secundum quid*, *absolutè & in ordine ad spiritualia*, wherewith the *Iesuites* doe fill the schooles with clamorous evasions, the Church with erroneous superstition, and many Christian states with tragicall sedition.

Lucifer Calaritanus in sundry bookes against *Constantius*, useth many immodest and disloiall speeches: but hee perswaded not the Pope to depose him, the state to punish him, the people to rebell against him, or forraigne aid to suppresse him, but threatned him with the dreadfull punishment of God. Hee that (in the fervency of zeale) durst call so cruell an Emperour, *Theefe, Church-robber, Murtherer, Beast, Hangman, Heretique, Apostata, Idolator, the Forerunner of Antichrist, and Antichrist himselfe*, would surely haue encouraged the Pope, the Peeres or the people, to haue removed that evill King, and placed a better in his stead: if there had beene any such opinion in those dayes, as our moderne *Iesuites* and *Puritans* beare now the World in hand. As this Father, in his writings, kept not the modesty of the other Fathers, which lived in that age under *Constantius*: so hee did not continue in the unity of the Catholique Church. *Lucifer* (saith *Ambrose*) *divided himselfe from our communion, though hee were banished with us for our Religion.*

Orat. in obit. fratris Satir.

When *Ambrose* was commanded, to deliver up his Church in *Millaine* to *Maxentius* an Arrian Bishop, hee declared his resolution in a Sermon to the people: which were very sorry for his departure; *Quid turbamini? volens nunquam vos deseram*: Why are you troubled? I will never willingly depart from you. If I bee compelled, I haue no way to resist: I can sorrow, I can weepe, I can sigh, my teares are my weapons against Souldiers, Armour, Gothes: such is the munition of a Priest: by any other meanes, then teares, I neither ought nor can resist: so farre *Ambrose*, Not disability but duty, not want of strength and martiall forces, but a reverend regard of the Emperours Majesty,

Orat. Ambrosij ad populum inter Epist. 31. 33.

jestly, commanded by the law of God, kept this blessed *Ambrose* from resisting. For hee might easily have wrought the Churches liberty, his owne safety, and the Arrians calamity by the overthrow of the Emperour, through the force of the Garison in that City, which refused, to attend the Prince to any other Church, then that wherein *Ambrose* was. The stout and peremptory answer of the Captaines and Souldiers, is thus reported by *Ambrose* in an Epistle to to *Marcellina*, a Religious woman; *Si prodire vellet habebat copiam: se præsto futuros.* The Emperour may goe at his pleasure, they would bee ready to attend him, if hee would goe to the Catholike assemblies: or otherwise, they would keepe on their way to that Congregation, wherein *Ambrose* was: *Thus stoode the Souldiers.* They refused (as you see) to obey, and preferred Godstrue service, before the Emperours favour: they reviled not his sacred person, they resisted not his soveraigne power; but yeelded themselves to his mercy and pleasure, to save their Soules from Gods wrath and displeasure, as wee find in the same Epistle; *Vnum Iob minaturus assurrexi*, I went to Church to extoll the patience of *Iob*, where I found every one of my hearers, a *Iob*, worthy to bee extolled. In every one of you *Iob* is revived, in each of you his patience, and vertue shined, what could bee said better by Christian men, then that which the holy Ghost this day spake in you? Wee beseech (O Emperour,) wee offer not to fight, wee feare not to die, wee intreat your clemency. Oh it was seemely for Christian souldiers, to desire the tranquility of peace and faith, and to bee constant in truth, even unto death. Thus farre *Ambrose*. Epist. 35.

Epist. eadem.

Saint *Augustine* reciteth the same of the Christian souldiers, under *Julian* the Apostata Emperour: *Julianus extitit Imperator infidelis*, *Julian* was an unbeleeving Emperour, was hee not an Apostata, an Oppressour, and an Idolater? Christian souldiers served that unbeleeving Emperour. When they came to the cause of Christ, they would acknowledge

knowledge no Lord but him that was in Heaven: when they were commanded to adore Idoles, and to offer ſacrifice, they preferred God before their Prince. But when hee called upon them to warre, and bad them invade any nation, they preſently obeyed. They did diſtinguiſh their eternall Lord, from the temporall King, yet they ſubmitted themſelves to their temporall Lord, for his ſake that was their eternall King: So farre hee.

Auguſt. in Pſal. 124.

Optatus Milevitanus, is another pregnant witneſſe: *Cum ſuper Imperatorem nemo ſit niſi ſolus Deus.* Seing there is no man above the Emperour, beſide God alone, which made the Emperour; *Donatus*, by advancing himſelfe above the Emperour, doth exceed the bounds of humanity, and makeeth himſelfe a God rather then man, in that hee feareth and reverenceth him not, whom all men ſhould honour next after God. So farre *Optatus*.

De ſchiſm. Donatiſt. l. 3.

Saint *Cyril* is of the ſame judgement. *Cui legis prevaricatores liberare licet niſi legis ipſius authori?* Who can acquit them that breake the law, from tranſgreſſion, beſide the Law-giver? as wee ſee by experience, in all humane ſtates, no man can without danger, breake the law, but Kings themſelves, in whom the crime of prevarication hath no place. For it was wiſely ſaid of one, that it is a wicked preſumption, to ſay to a King, *Thou dooſt amiſſe.* So farre hee.

Com. in Evang. Ioh. l. 12. c. 36.

And alſo Saint *Chryſoſtome*. What meaneth the Apoſtle (ſaith hee) to require prayers and ſupplications, interceſſions, and thanſgiving, to bee made for all men? hee requireth this to bee done in the dayly ſervice of the Church, and the perpetuall rite of Divine religion. For all the faithfull doe know, in what manner prayers are powred out before the Lord morning and evening, for all the world: even for Kings, and every man in authority. Some man will (peradventure) ſay, that, *for all*, muſt bee underſtood of all the faithfull. Which cannot bee the Apoſtles meaning, as may appeare by the words following, *viz. for*

In 1. epiſt. ad Timoth. c. 2 v. 1.

Kings:

Kings: ſeeing that Kings neither did then, nor in many ages after, ſerve the living God: but continued obſtinately in infidelity, which by courſe of ſucceſſion they had received: Thus farre *Chryſoſtome*. Our Moderne Reformers teach us that which *Paul* and *Chryſoſtome* neither knew nor beleeved, that wicked Princes are not to bee prayed for, but to be reſiſted, &c. See the preface before *Baſilic. Dor.*

When the faction of *Eutiches* had prevailed againſt the Catholikes, *Leo* the firſt, had no other remedy then prayers to God, ſighes, teares, and Petitions to the Emperour: *Omnes partium noſtrarum Eccleſiæ, &c.* All the Churches of theſe parts, all wee Prieſts, even with ſighs, and teares, beſeech your Majeſty, to command a generall Synod to bee held in *Italy*, that all offences being removed, there may remaine, neither errour in faith, nor diviſion in love. Favour the Catholiques, grant liberty to protect the faith againſt Heretiques, defend the ſtate of the Church from ruine, that Chriſt his right hand may ſupport your Empire: Thus farre *Leo*. *Epiſt.* 24. *ad Theod. Imper.*

When *Gregory* the great was accuſed for the Murther of a Biſhop in priſon, hee wrote to one *Sabinianus*, to cleare him to the Emperour and Empreſſe. *Breviter ſuggeras ſereniſſimis Dominis meis*: You may briefly enforme my ſoveraigne Lord and Lady, that if I their ſervant, would have buſied my ſelfe with the death of the *Lombards*, that nation would by this time have had neither Kings, nor Dukes, nor Earles, and ſhould have beene in great confuſion and diviſion: but becauſe I ſtood in aw of God, I was ever afraid, to meddle with the ſhedding of any mans bloud: ſo farre *Gregory*. Theſe *Lombards* were Pagans, Invaders of the Countrey, Ranſackers of the City, Perſecutours of the Saints, Robbers of the Church, Oppreſſours of the poore: whom *Gregory* the firſt, might, and would not deſtroy, *Quia Deum timuit*, becauſe hee *feared God*. It is very like, that his Succeſſour *Gregory* the ſeventh, feared either *God nor man*, when hee erected the Papall Croiſier *Epiſt. lib.* 7. *epiſt.* 1.

againſt the regall ſcepter, and read the ſentence of deprivation, againſt the Emperour *Henry*: *Ego auctoritate Apoſtolica, &c.* I by my power Apoſtolicall, doe bereave *Henry* of the *Germane* Kingdome, and doe deprive him of all ſubjection of Chriſtian men, abſolving all men, from the allegiance, which they have ſworne unto him. And that *Rodolph*, whom the Peeres of the Empire have elected, may governe the Kingdome: I grant all men, that ſhall ſerve him againſt the Emperour, forgiveneſſe of their ſinnes, in this life and in the life to come. As I have for his pride dejected *Henry* from the Royall dignity, ſo I doe exalt *Rodolph* for his humility, to that place of authority: Thus farre *Gregory* the ſeaventh.

Carol. Sigon. de Regno Ital. lib. 9. in vita Hen. 3.

Bonno Card. in vit. Gregor. 7.

It is no wonder, that *Gregory* his chaire clave aſunder, as ſome Writers affirme, at the giving of this ſentence; becauſe the proud Pope, and his wicked ſentence, were too heavy a burthen for *Peters* ſtoole of humility to beare.

The fourth Chapter proveth the Immunity of Kings by the Fathers of the third 300. yeares.

AFter the death of *Gregory* the great, which was about the yeare of our Lord 604. *Sabinianus* did ſucceed him, who lived but one yeare, after whom came *Boniface* the third, which obtained of *Phocas* to bee called *Univerſall Biſhop*; ſince that time *Periit virtus Imperatorum & pietas Pontificum*, the Emperours waxed *meeke*, and the *Biſhops wicked*. What the judgement of thoſe Fathers then was, concerning ſubjection to wicked Kings, I will make evident by the teſtimony of *Gregorius Turonenſis*, *Iſidorus*, *Damaſcenus*,

maſcenus, Beda, Fulgentius, Leo 4. and the Fathers aſſembled in a Councell at *Toledo* in *Spaine*.

Gregory Turonenſis acknowledgeth ſuch an abſolute power in *Childerick*, a moſt wicked King of *France*, as was free from all controll of man. *Si quis de nobis (Rex) juſtitiæ limites tranſcendere voluerit, &c.* If any one of us (O King) doe paſſe the bounds of juſtice, you have power to correct him, but if you exceed your limit, who ſhall chaſtice you? Wee may ſpeake unto you; if you liſt not to hearken, who can condemne you, but that *Great God*, who hath pronounced himſelfe to bee righteouſneſſe? *Hactenus ille.* *Hiſtor. l.* 5. *c.* 1.

Iſidorus ſaith no leſſe for the immunity of the Kings of *Spaine*. Let all earthly Princes know, that they ſhall give account of the Church, which Chriſt hath committed to their protection. Yea, whether the peace and diſcipline Eccleſiaſticall bee advanced, by faithfull Kings, or diſſolved by the unfaithfull, hee will require a reckoning at their hands, which hath left his Church in their power. So farre *Iſidorus*.

John Damaſcene pleadeth not onely for the exemption of wicked Kings themſelves, but alſo of their Deputies. The Governours (ſaith hee) which Kings create, though they bee wicked, though they bee theeves, though they bee unjuſt, or otherwiſe tainted with any crime, muſt bee regarded. Wee may not contemne them, for their impiety: but muſt reverence them, becauſe of their authority, by whom they were appointed our Governours. So farre hee. *Parallel. l.* 1. *c.* 21.

Fulgentius ſaith, that no kind of ſedition can ſtand with religion *Cum pro noſtra fide libere reſpondemus, &c.* When wee anſwer freely for our profeſſion, wee ought not to bee taxed with the leaſt ſuſpition of diſobedience or contumely, ſeeing wee are not unmindfull of the Regall dignity, and doe know, that wee muſt feare God, and honour the King, according to the Doctrine of the Apoſtle, *Give to* *Fulgent. ad Thraſim reg.*

each one his due, feare to whom feare, honour to whom honour ap-
1 Pet. 2. 17. *pertaineth* Of the which feare and honour, Saint *Peter* hath delivered unto us the manifeſt knowledge, ſaying, As the ſervants of God, honour all men, love brotherly fellowſhip, feare God, honour the King. Thus farre *Fulgentius*.

Our Countreyman *Beda*, for his great learning called
Lib 4. expoſit. in Samuel. *Venerable*, is of the ſame mind. *David* (ſaith hee) for two
1 Sam. 21. 6. cauſes ſpared *Saul*, who had perſecuted him moſt maliciouſly. Firſt, for that hee was his Lord, annointed with holy oile. And ſecondly, to inſtruct us by morall precepts, that wee ought not to ſtrike our Governours, (though they unjuſtly oppreſſe us) with the ſword of our lips: nor preſume ſlanderouſly, to teare the hemme of their ſuperfluous actions. So farre hee.

Leo the fourth about the yeare 846. agniſed all ſubjection to *Lotharius* the Emperour: I doe profeſſe and promiſe
Cap. de capit. diſt. 15. (ſaith *Leo*) to obſerve and keepe unviolably, as much as lieth in me, for the time preſent and to come, your Imperiall ordinances and commandments: together with the decrees of your Biſhops, my Predeceſſours: If any man informe your Majeſty otherwiſe, know certainely, that hee is a lier. So farre *Leo*.

The Biſhops of *Spaine* aſſembled in a nationall Councell
Concil. Tol. 5. *Can.* 2. *circa annum Dom.* 636. at *Toledo*, made this decree againſt perjury and treaſon. *Quicunque amodo ex nobis*: Whoſoever among us ſhall from this time forward, violate the oath which hee hath taken for the ſafegard of this Country, the ſtate of the Gothiſh nation, and the preſervation of the Kings Majeſty: whoſoever ſhall attempt the Kings death, or depoſition: whoſoever ſhall by tyrannicall preſumption aſpire to the regall throne, let him bee accurſed before the holy Spirit, before the bleſſed Saints, let him bee caſt out of the Catholique Church, which hee hath polluted by perjury, let him have no communion with Chriſtian men, nor portion with the juſt, but let him be condemned with the Devill and his Angels

gels eternally, together with his complices, that they may bee tied in the bond of damnation, which were joyned in the ſociety of ſedition. Thus farre the Fathers in that Synod.

I conclude therefore with theſe learned Fathers, that it is not for the people, otherwiſe then with humility and obedience, to controll the actions of their Governours: but their duty is onely to call upon the God of Heaven, and ſo ſubmit themſelves to his mercy, by whoſe ordinance the Scepter is fallen into his hand and power, that enjoyeth the Crowne, whether hee bee good or bad. A right of depoſing, muſt bee either in him that hath an higher power, which is onely God: or in him, that hath better right to the Crowne: which the Pope cannot have, becauſe hee is a ſtranger: nor the Peeres, or people, becauſe they are ſubjects. Bee the King for his Religion impious, for his Government unjuſt, for his life licentious, the ſubject muſt endure him, the Biſhop muſt reprove him, the Councellour muſt adviſe him, all muſt pray for him, and no mortall man hath authority to diſturbe or diſplace him, as may evidently bee ſeene by the Chapter following.

The fifth Chapter confirmeth this Doctrine by the Fathers of the fourth 300. *yeares.*

IN this age of the Church, the Popes exalted themſelves above all that is called God, and upon private diſpleaſures and quarrels, did curſe and banne Princes, incenſing their Neighbour-nations, and perſwading their owne ſubjects, to make warre againſt them, as if Chriſt had ordained his Sacraments, not to bee ſeales of grace,

and helps of our faith, but hookes to catch Kingdomes, and rods to ſcourge ſuch Potentates as would not, or could not procure the Popes favour. How farre theſe Popiſh practiſes, did diſpleaſe the godly and learned, I will ſhew by Saint *Bernard*, *Walthramus* Biſhop of *Naumberg*, the Epiſtle *Apologeticall* of the Church of *Leige* againſt *Paſchalis* the Pope, and the Authour of *Henry* the fourth his life.

Saint *Bernard*, in one of his Sermons upon the words of CHRIST; *I am the vine*, commendeth the anſwer of a certaine King, *Bene quidam Rex, cum percuſſus humana ſagitta, &c.* It was well ſaid of a King when hee was ſhot into the body with an arrow, and they that were about him, deſired him to bee bound untill the arrowes head were cut out, for that the leaſt motion of his body would endanger his life: no (quoth hee) it doth not beſeeme a King to bee bound, let the Kings power bee ever ſafe and at liberty. And the ſame Father in an Epiſtle to *Ludovicus Craſſus* the King of *France* teacheth ſubjects, how to rebell and fight againſt their Princes; *Quicquid vobis de Regno veſtro, de Anima & Corona veſtra facere placuerit:* Whatſoever you pleaſe to doe with your Kingdome, your Soule, or your Crowne, wee that are the Children of the Church cannot endure or diſſemble the injuries, contempt, and conculcation of our Mother. Queſtionleſſe wee will ſtand and fight even unto death in our Mothers behalfe, and uſe ſuch weapons, as wee may lawfully, I meane not ſwords and ſpeares, but prayers and teares to God.

Bernard. Epiſt. 221.

When *Gregory* the ſeaventh had depoſed *Henry* the fourth, hee gave away the Empire to one *Rodolphus* Duke of *Saxony*, that was a ſworne ſubject to that diſtreſſed Emperour; which *Rodolp*, in a battaile againſt his Soveraigne Lord, loſt his *right-hand*, and gained a deadly wound. After his death, the Pope made one *Hermannus* King of *Germany*, who enjoyed his Kingdome but a little time, for hee was ſlaine with a ſtone, which a woman threw upon him from

from a turret, as hee made an aſſault (in ſport) againſt his owne Caſtle, to try the valour of his ſouldiers. Then did *Egbertus*, by the Popes encouragement aſcend the Impe-riall throne, whereon he ſate but a while: for as hee ſtepped aſide from his army into a mill, to reſt himſelfe in the heat of the day, hee was diſcovered by the miller to the Empe-rours friends, and loſt his life for his labour. During this hurly-burly in that ſtate *Walthramus* a godly Biſhop, wrote to one *Ludovicus* an Earle of the Empire, diſwading him from partaking with the ſeditious againſt that good Empe-rour, whom the Pope had depoſed. *Walteram* by the grace of God, that hee is, to *Lewes* the noble Prince, with inſtance of prayer, offreth himſelfe in all things ſerviceable. Con-cord is profitable to every Realme, and juſtice much to bee deſired: theſe vertues are the Mother of devotion, and the conſecration of all honeſty. But whoſoever ſeeketh after civill diſſention, and incenſeth other to the effuſion of bloud, hee is a murtherer, and partaketh with him, who ga-ping for bloud, goeth about ſeeking whom hee may de-voure: The worthy veſſell of election, that was taken up to the third Heaven, proteſteth, ſaying, Let every Soule ſub-mit himſelfe to the higher power, there is no power but from God. Hee that reſiſteth power, reſiſteth the ordi-nance of God. If that bee true (which ſome men prate a-mong women and the vulgar ſort) that wee ought not to bee ſubdued to the Kingly power, Then it is falſe which the Apoſtle teacheth, that every Soule muſt ſubmit him-ſelfe under power and ſuperiority. Can the truth lie? did not Chriſt the Lord ſpeake by the Apoſtle? Why doe wee provoke the Lord? are wee ſtronger then hee? Doth not hee thinke himſelfe ſtronger then the Lord, that reſiſteth the ordinance of God? ſeeing there is no power but of God: what ſaith the Prophet? Confounded bee they that ſtrive againſt the Lord, and they that reſiſt him ſhall periſh. *Ro-dolphus, Hermanus, Egbertus*, with many other Princes, re-ſiſted the ordinance of God, in *Henry* the Emperour, but loe they

Ex vita Henr. quarti que habetur in faſciculo rerum ſcien-darum Colo-niæ impreſſo.

Epiſt Wald. que habetur in appendice Marian. Scot.

they are confounded, as though they had never beene, for as their end was ill, their beginning could not be good, &c. *Hac ille.*

Pope *Paſchalis* ſeeing the bad ſucceſſe of thoſe ſeditious ſubjects, which his Predeceſſours *Gregory* and *Vrbanus* had armed againſt *Henry*, that worthy Emperour: did perſwade the Emperours owne Sonne, againſt all Law of God, Nature, and Nations, to rebell againſt his Father. The Biſhop of *Leige* tooke the Emperours part, againſt this young Prince, for the which hee was excommunicate, his Church interdicted, and *Robert* Earle of *Flanders* commanded by the Pope, as hee hoped to have the forgiveneſſe of his ſinnes, and the favour of the Church of *Rome*, to deſtroy that Biſhop and his falſe Prieſts.

The Churchmen of *Leige* terrified with the Popes excommunication, and fearing the Earles oppreſſion, wrote an *Apologie* for themſelves about the yeare 1106. Wee are excommunicate (ſay they) becauſe wee obey our Biſhop, who hath taken part with his Lord the Emperour. Theſe are the beginnings of ſorrow: for Sathan being looſed, compaſſeth the earth, and hath made a diviſion betweene the Prince and the Prieſt: who can juſtly blame the Biſhop that taketh his Lords part, to whom hee hath ſworne allegiance? perjury is a great ſinne, whereof they cannot bee ignorant, that by new Schiſme and novell tradition, doe promiſe to abſolve ſubjects from the guilt of perjury, that forſweare themſelves to their Lord the King, &c.

Epiſtol. Leodienſium apud Simonem Scard.

In the progreſſe of their *Apologie* they determine three great queſtions: Firſt, whether the Pope hath power to excommunicate Kings? Secondly, to whom it belongeth to inflict temporall puniſhment, when Church-men offend againſt faith, unity, or good manners? And thirdly, what remedy ſubjects have againſt their Kings, that are impious or tyrannous? *Si quis reſpectu ſanctiSpiritus, &c.* If any man having reſpect to the Spirit of God, ſhall turne over the old and new Teſtament, he ſhall plainely find that Kings, ought

ought not at all or very hardly be excommunicate, whether wee conſider the Etimologie of their names, or the nature of their excommunication. Even till this day hath this point beene queſtioned, and never determined. Kings may bee admoniſhed and reproved, by ſuch as bee diſcreet and ſober men, for Chriſt the King of Kings in earth, who hath placed them in his owne ſtead, hath reſerved them to his owne judgement, &c.

Their anſwer to the ſecond queſtion, is grounded on the teſtimony of Saint *Auguſtine*, the practiſe of Princes, and the authority of *Paul*. Kings (ſay they) and Emperours by their publike Lawes, have forbidden Heretiques, to enjoy any Worldly poſſeſſion. Wherefore ſeeing wee are no Heretiques, and that it belongeth not to the Pope, but to Kings and Emperours to puniſh Hereſies, why doth our Lord *Paſchalis*, ſend *Robert*, his Armour-bearer, to deſtroy the poſſeſſions and to overthrow the Villages of the Churches, which in caſe they deſerved deſtruction, ought to bee deſtroyed by the edict of Kings and Emperours, which cary the ſword not without good cauſe? &c.

For anſwer to the third queſtion, they ſhew by ſundry places of Scripture, that there is no other helpe againſt evill Princes, then prayer and patience. *Nihil modo pro Imperatore noſtro dicimus, &c.* Wee will for the preſent ſay nothing in defence of our Emperour, but this wee ſay, though hee were as bad as you report him to bee, wee would endure his government, becauſe our ſinnes have deſerved ſuch a Governour. Bee it: wee muſt needs grant againſt our will, that the Emperour is an Arch-heretike, an invader of the Kingdome, a worſhipper of the *Simoniacall* Idoll, and accurſed by the Apoſtles and Apoſtolike men, as you ſay of him: even ſuch a Prince ought not to bee reſiſted by violence, but endured by patience and prayer. *Moſes* brought many plagues upon *Pharaoh*, whoſe heart God had hardened, but it was by prayer and the lifting up his hands to Heaven. And Saint *Paul* requireth prayers to bee made

for all men, for Kings and ſuch as are in authority: which Kings were neither Catholikes nor Chriſtians. *Baruch* alſo from the mouth of the Prophet *Jeremy*, wrote unto the Iewes, which were captives unto the King of *Babylon*, that they muſt pray for the life of *Nabuchodonoſer* the King of *Babylon*, and *Balthazar* his Sonne, that their dayes in earth may bee as the dayes of Heaven, &c. Saint *Paul* teacheth why wee ought to pray for evill Kings, namely, that under them wee may lead a quiet life. It would become an Apoſtolike man, to follow the Apoſtles Doctrine: it were propheticall to follow the Prophet, &c. *Thus farre they in their Epiſtle Apologeticall.*

Epiſt. Leod.

Vita Henr. 4. quo ſupra.

Hee that wrote the life of this Emperour *Henry* the fourth, an ancient, a modeſt, and an impartiall Relatour of ſuch occurrents as happened in his time, declareth his diſlike of the Popes practiſes, and the *Germanes* tumults againſt their ſaid ſoveraigne Lord. *Magnum Mundo documentum datum eſt:* A great inſtruction was given to the World that no man ſhould riſe againſt his Maſter. For the hand of *Rodolph* being cut off, ſhewed a moſt juſt puniſhment of perjury; hee feared not to violate his fidelity ſworne to the King, and his right hand was puniſhed, as if other wounds had not beene ſufficient to bring him to his death, that by the plague of the rebellious, the fault of rebellion might bee perceived: Thus farre hee.

The ſixth Chapter proveth the ſame by the teſtimony of the Writers from the 11. hundred yeares downeward.

I Will for concluſion produce *Otho Frinſingenſis*, *Thomas Aquinas*, *Gratianus*, *Philip* the faire King of *France*, the Parliament of *England* in the time of *Edward* the firſt, *Vincentius*,

centius, and *Æneas Silvius* that afterward was Pope, by the name of *Pius ſecundus*.

Otho Friſingenſis hath an excellent ſaying in his Epiſtle Dedicatory to *Frederick Barbaroſſa*; *Cum nulla perſona mundialis inveniatur quæ mundi legibus non ſubjaceat, &c.* Although no earthly man can bee found, that is not ſubject to the Lawes of the World, and in reſpect of ſubjection, liable to correction: Kings as it were placed over Lawes, are not reſtrained by them, but reſerved to the examination of God, according to the words of the King and Prophet, *Againſt thee onely have I ſinned.* It becommeth therefore a King, both in reſpect of the noble diſpoſition of his mind, and the ſpirituall illumination of his ſoule, to have God, the King of Kings, and Lord of Lords, ever in his mind, and by all meanes poſſible, to take heed, that hee fall not into the hands of God, ſeeing it is (as the Apoſtle ſaith) a fearefull thing to fall into the hands of the living God. It is more fearefull for Kings, then for any other; becauſe Kings have none but God himſelfe above them, whom they need feare. It ſhall bee ſo much more horrible for them, by how much they may offend more freely then other men. So farre *Otho*.

Otho Friſing. in his Epiſtle Dedicatory before his Chronicle.

Pſal. 51. 5.

Thomas Aquinas, (if the Tractate *De regimine Principum* bee his) maketh three ſorts of Kings: Kings by *election*, Kings by *ſubordination*, and Kings by *ſucceſſion*. For the firſt hee ſaith, that they which did eſtabliſh, may aboliſh: for the ſecond, wee muſt have our recourſe to him that did ſurrogate the ſubordinate King: as the Iewes did to *Cæſar* againſt *Herod*: for the laſt, his reſolution is *Recurrendum eſſe ad omnium Regem Deum*, that wee muſt flie to God, the King of all Kings, in whoſe onely power it is, to mollifie the cruell heart of a Tyrant. And that men, may obtaine this at the hands of God, they muſt ceaſe from ſinne; for wicked Princes, by Divine permiſſion are exalted to puniſh the ſinnes of the people, *Tollenda eſt igitur culpa ut ceſſet Tyrannorum plaga*; Wee muſt therefore remove our

Aquin. de regimine Princ. lib. 1. cap. 6.

ſinnes, that God may take away his puniſhment: Thus farre *Thomas.*

Gratianus, which compiled the decrees, is very peremptory, that the Biſhop of *Rome*, ought not to meddle with the temporall ſword, the ſtate of Common-wealths, or the change of Princes. Hee ſaith nothing indeed *De Regni ordinibus*, which in his time, and a 100. yeares after him, never dreamed of any ſuch authority. *Cum Petrus qui primus Apoſtolorum à Domino fuerat electus, materialem gladium exerceret:* When Peter whom the Lord had firſt choſen of all the Apoſtles, drew the materiall ſword, to defend his Maſter from the injuries of the Iewes, hee was commanded to ſheath his ſword: *For all that take the ſword, ſhall periſh by the ſword.* As if Chriſt ſhould have ſaid, Hitherto it was lawfull for thee and thine Anceſtours to perſecute Gods enemies with the temporall ſword, hereafter thou muſt put up that ſword into his place, and draw the ſword of the Spirit, which is the word of God, to ſlay the old man: whoſoever beſide the Prince, and without his authority, that hath lawfull power, and as the Apoſtle teacheth, *Beareth not the ſword in vaine*, to whom every ſoule muſt bee ſubject, whoſoever (I ſay) without or beſide the Princes authority, beareth the ſword, ſhall periſh by the ſword: Thus farre *Gratian.*

Math. 26.52.

Cauſ. 23. queſt. 8. parag. 1.

Rom. 13.4.

About the yeare a 1300. beganne a quarrell betweene *Boniface* the eight, and *Philippus Pulcher* the *French* King, about the collation of benefices, Prebends, and other Eccleſiaſticall promotions. Whereupon the Pope wrote unto the ſaid King, as followeth: *Boniface* Biſhop, the ſervant of Gods ſervants, to his wel-beloved Sonne *Philip*, by Gods grace King of *France*, Greeting, and bleſſing Apoſtolicall. Feare God and keepe his law: Wee give thee to underſtand that thou art ſubject to us both in ſpirituall things, and temporall, and that no gift of benefices or Prebends belongeth to thee. If thou have in thy hand any vacant, keepe the profits of them to the Succeſſours, and

and if thou haſt beſtowed any, wee decree the collation void, and recall it, how farre ſoever it hath proceeded. Whoſoever beleeveth otherwiſe, wee account him a foole: Dated at *Lateran* the fourth of the Calends of *December*, and in the ſixth yeare of our Papacy. King *Philip* returned his haughtineſſe, a correſpondent anſwer, *viz.* *Philip* by the grace of God, King of *France*, to *Boniface* bearing himſelfe for Pope, *Salutem modicam ſive nullam. Sciat tua maxima fatuitas.* Little health or none at all. Let thy great fooleſhip know, that in temporall things wee are ſubject to no man. And that the gifts of Prebends and Eccleſiaſticall promotions, made, and to bee made by us, were and ſhall bee lawfull, both in time paſt and in time to come. For ſuch collations belong to us in the right of our Crowne: wherefore, wee will manfully defend the Poſſeſſours of the ſaid dignities, and doe judge them that thinke otherwiſe fooles and mad men; Given at *Paris* the Wedneſday after *Candlemaſſe*, 1301. Queſtionleſſe this King that did ſo ſcornefully reject the Popes chalenge pretended from Chriſt, would little regard the claime of the Nobles, derived but from the people. *Philip. Pulcher.*

The ſame buſie *Boniface*, of whom ſome write, that hee came in like a *Fox* craftely, raigned like a *Lyon* cruelly, and died like a *Dogge* miſerably, would take upon him the deciſion of a controverſie betweene the Kings of *England* and *Scotland*, and commanded King *Edward* of *England* either to ceaſe his claime, or to ſend his Procuratours to the Apoſtolike ſea, to ſhew his right, and to receive ſuch order from the Pope, as juſtice and equity would require. The Lords and Commons then aſſembled in Parliament at *Lincolne* ſent *Boniface* this anſwer in the Kings behalfe. Whereas our moſt dread Lord *Edward* by the grace of God, the Noble King of *England*, cauſed your Letters to bee read openly before us, touching certaine occurrents of ſtate betweene him and the King of *Scotland*, wee did not a little marvaile at the contents thereof, ſo ſtrange and

wonderfull, as the like hath never beene heard of. Wee know (moſt Holy Father) and it is well knowne in this Realme, and alſo to other Nations, that the King of *England* ought not to make anſwer for his right before any Iudge Eccleſiaſticall or ſecular: by reaſon of the free eſtate of his Royall dignity and cuſtome, without breach at all times unviolably obſerved: Wherefore after treaty had and diligent deliberation, this was our reſolution, that our ſaid King ought not to anſwer in judgement, nor ſend Procuratours or Meſſengers to your Court: ſeeing that tendeth manifeſtly to the diſinheriting of the right of the Crowne, the overthrow of the ſtate of the Kingdome, and the breach of the liberties, cuſtomes, and lawes of our Fathers, for the keeping whereof, wee are bound by the duty of an oath, and will (by Gods helpe) maintaine and defend with all our power and ſtrength, &c. Dated at *Lincolne Ann. Dom.* 1301. *& Anno Edwardi primi* 29. This was then the reſolution of the State of this Land: if our late Sectaries *Popiſh* or *Puritan*, bring in any other Doctrine, wee may not leave the cawſey of truth and obedience, whereon our Fore-fathers walked to their commendation, to follow theſe new guides, in their bypaths of pride, diſobedience, and contempt of authority, to our deſtruction.

Parliament at *Lincolne* quoted by M. *Ekenſhaw.*

Vincentius in his *Speculo Hiſtoriali* hath a notable place to diſwade from ſedition and perjury. *Vt pace omnium bonorum dixerim, hæc ſola novitas (ne dicam Hæreſis) nec dum è Mundo emerſerat.* That I may ſpeake with the favour of all good men, this meere novelty (if not Hereſie) was not ſprung up in the World, that Prieſts ſhould teach ſubjects, that they owe no ſubjection to wicked Kings, and albeit they have given an oth of fidelity unto them, they are not bound to keepe it: Nay, they that obey an evill Prince, are to bee held as excommunicated, and all ſuch as rebell againſt him, are free from the guilt of the crime of perjury. So farre hee.

Lib. 15. c. 84.

I will

I will end this Chapter with *Æneas Silvius*, who died in the yeare 1464. *Sit tandem finis litium*, Let there bee an end of contention, and one principall head to determine all temporall matters: let the occaſion of perpetuall debate bee taken away, let men acknowledge themſelves ſubject to their Prince, and give reverence to him, whom God hath made his vicegerent on Earth. As that which God commandeth muſt bee obeyed without contradiction, ſo the temporall Commandements of Cæſar, may not bee reſiſted. But let the Kings themſelves beware that they oppreſſe no man unjuſtly, nor give their people cauſe to crie to God againſt them, for the Earth is the Lords and the fulneſſe thereof: hee will not forget the crie of the poore: and for the ſinne of the Prince hee tranſlateth the Government from one Nation to another. There is nothing more offenſive to the greateſt God, the King and Creatour of Heaven and Earth, then the neglect of juſtice, and the oppreſſion of the poore: as the Pſalmiſt ſaith, The poore ſhall not alway bee forgotten, and the patient abiding of the needy ſhall not periſh for ever. So farre *Silvius*.

Pius 2. de ortu & author. Imperii c. 23.

The ſeaventh Chapter ſheweth the concord of Papiſt and Puritan for the depoſition of Kings, and their diſcord about the meanes and perſons to bee imployed in the execution of their deſignements.

Childerick was depoſed, and *Pipine* crowned King of *France* about the yeare 750. The truth of which Hiſtory is this. *Childerick* void of all princely gravity, gave himſelfe over to pleaſure and wantonneſſe, leaving the burthen of the ſtate to *Pipinus*, that was his Lord *Marſhall*;

Who

Who conſpired with the Nobles, to advance himſelfe, by the depoſition of the King his Maſter. To ſet a better colour on the matter, *Pipine* ſent his Chaplaine to Pope *Zachary*, to have his anſwer to this Queſtion: *Whether ſhould bee King, hee that bare the name and did nothing, or hee that governed the Kingdom?* The Pope gave ſentence with the Marſhall againſt the King, whereupon, *Childerick* was made a ſhorne Monke, and *Pipine* a crowned King.

It is a wonder to ſee how theſe oppoſite Sectaries, doe inſiſt upon this fact of the *French-men*, to juſtifie their dangerous doctrine, and ſeditious conſpiracies againſt Princes. As Cardinall *Bellarmine de Pontif. lib. 2. cap. 17. Thomas Harding* againſt the *Apologie* of the Church of *England, fol.* 181. *Franc. Fevardentius* in his Commentaries on *Heſter, pag.* 85. *Boucher alias Raynolds de juſta abdicatione Henrici 3. lib. 3. cap. 14. Ficklerus de jure Magiſtratuum fol.* 30. *Alexander Carerius patavinus de poteſtate Papæ, lib. 2. cap. 3. D. Marta de temporali & ſpirituali Pontificis poteſtate, lib. 1. c. 23.* and *Doleman in his conference touching ſucceſſion part. 1. cap. 3. pag.* 48. And alſo theſe *Puritans, Chriſtopher Goodman in his treatiſe of obedience, pag.* 53. *George Buchanan de jure Regni apud Scotos, pag.* 47. *Danæus de politia Chriſtiana lib. 3. cap. 6. pag.* 221. *Brutus Celta de jure Magiſtratuum, pag.* 286. *Phyladelphus dialogo 2. pag.* 65. *Franc. Hottomanus* in his *Francogallia cap.* 12. and *Speculum tyrannidis Philipi Regis pag.* 27. The Papiſts which aſcribe this depoſing power to the Pope, endeavour by tooth and naile, to diſprove that intereſt which the Puritans grant the Peeres, or the people. Firſt, this example ſerved *Gregory* the ſeventh to excuſe his preſumptous practiſes againſt *Henry* the fourth. *Quidam Romanus Pontifex:* A certaine Biſhop of *Rome* depoſed a King of *France*, not ſo much for his ill life, as for that hee was not fit for government, and placed *Pipine*, which was Father to *Charles* the great in his place: abſolving all the *French-men* from the oath of allegeance, which they had ſworne to their King. Thus farre

Lib. de unit. Eccleſ. apud Beard. pag. 3.

farre *Gregory* in an Epiſtle to one *Herimannus*, that was Biſhop of *Metz* in *France*.

Thomas Harding concludeth from this fact, a Divine power in the Pope. Can you not ſee (ſaith *Harding*) what ſtrength and power is in the Pope, which is able with a word, to place and diſplace the mightieſt King in *Europe*? with a word, I ſay, for I am ſure you can ſhew us of no army, that hee ſent to execute his will. Is it in the power of man (thinke you) to appoint Kingdomes? can the Devill himſelfe, at his pleaſure ſet up and depoſe Kings? no ſurely. Much leſſe can any member of his doe the ſame. Remember you what CHRIST ſaid, when the Iewes objected, that hee did caſt out Devils in the name of the Prince of Devils? beware you ſinne not againſt the holy Ghoſt, who confeſſe that the Pope hath pulled downe and ſet up Kings. Which thing undoubtedly hee could never doe profitably and peaceably, but by the great power of God, &c. So farre *Harding*. Confut. of the Apolog. fol. 181.

Cardinall *Bellarmine* the Grand-maſter of Controverſies, cannot endure to heare that this depoſition was done by any other then the Papall authority. The Pope (ſaith hee) *Iudicavit licere Francis, regnum Childerici in Pipinum transferre*. The Pope gave judgement that the *Frenchmen* might lawfully transferre *Childericks* Kingdome to *Pipin*: and did abſolve them from the oath which they had ſworne unto him. No man that hath his right wit can deny this to be lawfull. For the very event hath proved, that change to bee moſt fortunate: ſeeing the Kingdome of *France*, was never more potent, nor Religion more flouriſhing, then under *Pipin* and *Charles* his Sonne. Thus farre *Bellarmine*. De Pontif. lib. 2. cap. 17.

This Cardinals reaſon from the ſucceſſe to the approbation of the fact, will conclude well for the *Turke*, who hath longer continued, more flouriſhed and inlarged his ſtate, then the Houſe of *Pipin*. Heare in a word the true ſucceſſe of *Pipins* poſterity out of *Beneventus Imolenſis* and *Paulus Æmilius*. *Beneventus Imolenſis*,

Æmilius. The firſt of that line was *Charles* the great, in whoſe time the Empire was divided. The ſecond was *Ludovicus Pius*, againſt whom *Lotharius*, an unnaturall Sonne, did conſpire: who thruſt his Father to a Cloiſter, and placed himſelfe in the Throne, where hee ſate like a Tyrant, till hee was alſo depoſed. The fourth was *Ludovicus ſecundus*, a man unfortunate in all his doings. The fifth was *Ludovicus tertius*, whom they call *Ludovicus nihili*, or *Lewis* no-body. The ſixth was *Charles* the *Bald*, a very Coward. The ſeventh was *Carolus Craſſus*, as very a Foole. *Arnulphus* the eight of that progeny, was eaten with lice. The ninth was *Ludovicus quartus*, in whom that race ended.

Paulus Aemilius.

Alexander Carerius inferreth the abſolute ſoveraignty of the Pope over all Kings, even to depoſe them, and to tranſpoſe their Realmes, from the inſufficiency of the Nobles and People. *Eſto quod verùm ſit Papam, non depoſuiſſe Regem Franciæ:* Bee it true that the Pope did not depoſe the King of *France*, but gave conſent to the Peeres and People to depoſe him, this is a moſt manifeſt proſe of our intent: that Kings have one, if not many ſuperiours, *viz.* the Barons and people of their Kingdome: and overthroweth their poſition and concluſion, *That Kings have in temporall things no ſuperiour*, no, not the Biſhop of *Rome*. But ſeeing the Barons and People could neither judge nor deprive him, becauſe they wanted coactive power, which Vaſſals or Subjects have not over their Soveraigne, it followeth neceſſarily, that the Pope by his Princely power, as ſuperiour to the King in temporalties, might lawfully depoſe him. Thus farre *Carerius*.

De poteſt. Pontif. lib. 2. cap. 3. num. 6.

D. Marta, is as peremptory for the Pope, againſt the pretended claime of the Peeres, or the People. *Childericus privatus eſt Regno Franciæ ob ſtupiditatem & ineptitudinem in adminiſtrando:* *Childerick* was deprived of the Kingdome of *France*, for his ſtupidity and unfitneſſe to governe. They that ſay hee was not deprived by the Pope alone, but by

by them that deſired another King, doe not anſwer the reaſons alleadged for the Popes Soveraigne power in temporalties: nay, they confirme the Popes power. *Baldus* asketh this queſtion, when the Emperour is unprofitable, or mad, or a drunkard, may the people depoſe him, or aſſigne him a Coadjutor? No, ſaith hee, the Pope muſt doe it, *for the Pope is the crowne and braine of the people.* And wee have proved before, that God did give no juriſdiction to the people, but to *Moſes* and his Succeſſours. Wherefore the Vaſſals or Peeres which repreſent the people, have no power common with the Pope, in the depoſing of Princes. And in that they ſay, that the *Frenchmen* deſired another King, it is a great confirmation, that the Pope hath right to diſpoſe of Kingodmes. Hee uſeth to deſire, who hath not of his owne: or cannot of himſelfe effect that, which he would have done: Thus farre *Marta.*

De temp. & ſpir. Pontif. poteſt. part. 1. cap. 23. num. 15. 16. 17.

They that plead for the ſtate of the Laity, are as confident againſt the Pope and Clergy. *Vt paucis dicam* (ſaith *Iunius*) *hoc fecit Zacharias ut Dominus aut ut mandatarius, authoritate inſtructus à Domino*, that I may uſe few words, the Pope depoſed *Childerick* either as his Lord, or as a mandatary having authority from the Lord; but hee did it neither way. Not as Lord, how could hee bee Lord in *France*, that in thoſe dayes had no Lordſhip in *Rome*? hee did it not as mandatary, for then hee ought to have ſhewed his authority, which hee neither did, nor could ſhew. CHRIST would not divide a private inheritance, ſhall *Zachary* then preſume to depoſe Kings, or tranſpoſe Kingdomes. Thus farre *Iunius.*

Ceterum quod Monachus iſte (ſaith *Lambertus Danæus*) whereas this Monke *Bellarmine* contendeth, that *Childerick* was lawfully depoſed by Pope *Zacharias*, a ſtranger, a Prieſt, no Magiſtrate, but (in this reſpect) a private perſon, though hee were Biſhop of *Rome*. Will hee ever bee able to prove or defend his aſſertion? Can *Zachary* have authority in *France*, being a ſtranger? can hee depoſe the publike Magiſtrate,

Reſp. Danæ. ad Bellar. l. 2. cap. 17. pag. 316.

ſtrate, being but a private perſon? or transferre that principality to *Pipin* that hee hath no right unto? and commit ſo many ſacriledges and impieties, ſtealing from *Childerick*, and giving to *Pipin* another mans right? authoriſing ſubjects to violate their oaths, which they had ſworne to their King? tranſpoſing Kingdomes from one man to another, whereas it doth onely belong to God to depoſe Kings, and diſpoſe of Kingdomes? thou maiſt ſee (*Bellarmine*) how many outrages this thy *Zachary* hath committed, beſide that hee did thruſt his ſickle into an other mans harveſt, and medled with the cobler beyond his laſt, in that, being but a Prieſt hee tooke upon him the deciſion of the right of Kingdomes. Thus farre *Danæus*, who is not ſo violent againſt the Pope, as hee is virulent for the depoſing power of Peeres, or States of the Kingdome. The Kings (ſaith hee) of *Lacedemonia* had the *Ephori* to controll them. The States-men of the *Romane* Common-wealth, depoſed the Emperours, which were Tyrants, and abuſed their authority. The *French ſtate* hath often dethroned their Kings: The Nobles of *Spaine* may doe it by their Law: And the Hiſtory of the *Scottiſh* affaires (excellently well written by * *Buchanan*) doth report that the States-men of that Countrey, have many times deprived the Kings of *Scotland*. Finally, naturall reaſon, and the practiſe of all nations doth confirme, that the States-men in every Kingdome, may depoſe Kings, that are peccant. So farre hee. *Hottoman* in his *Franco Gallia*, hath a long Chapter to prove that this might bee done lawfully, by the Peeres, or the People, but in no caſe by the Pope or the Clergy.

Danæus pol. Chriſt. l. 6. c. 3. pag. 414.

* *Mulus manum ſcabit.*

Cap. 13.

Men cannot ſay (as it is in the proverbe) *Nimium altercando veritas amittitur*, ſeing that in this oppoſition, the truth is not loſt, but divided among them. For their premiſſes, brought together, will unadvoidably conclude, that this depoſing power, is neither in the Pope, the Peeres, nor the People. Though it were, the reaſon of the ſeditious Papiſts and Puritans, *à facto ad jus*, is ſophiſticall in the Schooles,

Schooles, where nothing can bee concluded *Ex meris particularibus*, of meere particular inſtances. Abſurd in law, *Quia legibus non exemplis vivitur*, for men muſt doe as the law requireth, not as other men practiſe. Erroneous in Divinity, *Non ideo quia factum credimus faciendũ credamus, ne violemus preceptũ, dum ſectamur exemplum*: We may not do that, wch hath bin done by other men, leaſt we break the law of God, in following the example of man. And dangerous in policy, as my *Lord of Northampton*, the ornament of learning, obſerveth. " The flie (ſaith that noble Earle) ſetting on the " cart wheele, might as well wonder at the duſt raiſed in " the way, as *Gregory* or *Zachary*, draw counſell to power, " and make that fact their owne, which was hammered in " the forge of ambition, countenanced with the colour of " neceſſity, and executed by *Pipin*, a Miniſter, that being " weary of ſubordination, reſolved by this trick, when the " meanes were fitted and prepared to the plot, to make " himſelf abſolute. The caſe of Kings were pitifull, if *Ex factis ſingularibus*, it were lawfull to draw leaden rules in their diſgrace. Thus farre the Earle.

Auguſt. ad Conſen. de mendac. cap. 9.

The eight Chapter ſheweth the danger of this Doctrine, and the originall of the Puritan poſition, concerning the power of Statesmen to puniſh and depoſe Princes in Monarchies.

THeſe deſperate attempts, ſuggeſted by the Devill, executed by the people, encouraged by the ſtate, and approved by the Pope, muſt ſerve as admonitions to Princes, to humble themſelves before God: *Qui non dabit ſanctos ſuos in captionem dentibus eorum*; Who will not give his Saints

for a prey to their teeth. For it is not heard (as our great King remembreth) *That any Prince forgeteth himſelfe in his duty to God, or in his vocation? But God with the greatneſſe of the plague: revengeth the greatneſſe of his ingratitude.*

Law of Monarch. p. 60

Theſe practiſes therefore muſt bee no preſident for Peeres, or People to follow, becauſe God hath forbidden Chriſtian ſubjects to reſiſt, though Kings raigne as Tyrants; and commanded them to endure with patience, though they ſuffer as Innocents. And alſo, becauſe that in ſtead of relecving the Common-wealth out of diſtreſſe, which is ever the pretence of ſeditious practitioners, they ſhall heape miſcheefe on it, and deſolation on themſelves: as (*Aquinas*) if hee bee the Authour of the Booke *De Regimine Principum*, ſheweth manifeſtly. *Eſſet multitudini periculoſum & ejus rectoribus:* It were dangerous to Subjects and Governours, that any ſhould attempt to take away the life of Princes, though they were Tyrants: for commonly, not the well diſpoſed, but the ill affected men, doe thruſt themſelves into that danger. And the Government of good Kings, is as odious to bad men, as the rule of Tyrants to good people. Wherefore the Kingdome, by this preſumption would bee rather in danger to forgoe a good Prince, then a wicked Tyrant. So farre *Thomas*.

De reg. Princ. lib. 1. cap. 6.

They that are the Authours or abettors of ſedition, can neither avoid ſhame in earth, nor eſcape eternall damnation. Though God the great Iudge doe ſometime permit rebels, in his Iuſtice to prevaile againſt Kings, for their contempt of the law of the higheſt, and the neglect of their owne duty; The reward of rebellion ſhall bee no better then the recompence of Sathan, who is the inſtrument of the Lords wrath for the puniſhment of all diſobedience. It is moſt true that as ſick men, neere their death, have many idle fancies, ſo the World before the end thereof ſhall bee troubled with many errours. In theſe declining dayes of the World, many Countreyes, Cities, and Cantons, renounced their old Government, and ſubmitted themſelves to ſuch a

Chryſoſtome:

new

new regiment as they beſt liked: for confirmation of which practiſes, there wanted not politike Divines, (what wine is ſo ſoure that ſome hedge grapes will not yeeld) to inveſt the people and Nobles with the power over Kings, to diſpoſe of their Kingdomes. The Heathen *Politicians* from whom this politike Divinity is derived, knowing not the true God, and having no rule to direct them, but naturall reaſon, thought him no murtherer, but *a Defender of his Countrey that killed Tyrants.* But this pagan principle, being a plant that CHRIST hath not planted, muſt bee plucked up by the rootes. I can find no ground of this leud learning, beyond 220. yeares in the Chriſtian World: The firſt Authours of it being *Johannes de Pariſiis, Iacobus Almain,* and *Marſilius Patavinus: Vbi peccat Rex in temporalibus,* ſaith *Iohannes de Pariſiis, Papa non habet ipſum corrigere:* When the King offended in the temporall Government, the Pope hath no authority to correct him, but the Barons or Peeres of the Realme, and if they either cannot, or dare not meddle with him, they may crave the Churches aid to ſuppreſſe him: ſo farre *Iohn* of *Paris.*

Ioh. de Paris de poteſt. Regia & Papali, cap. 14.

Tota communitas (ſaith *Iacob Almain*) *poteſtatem habet Principem deponere.* All the communalty, hath power to depoſe their Prince, which power the communalty of *France* uſed, when they deprived their King, not ſo much for his impiety, as for his diſability to manage ſo great a charge: ſo farre *Almain. Regis depoſitio & alterius inſtitutio* (ſaith *Marſilius Patavinus*) the depoſition of a King, and the inſtitution of another in his place, belongeth not to the Biſhop of *Rome,* to any Prieſt, or to the Colledge of Prieſts, but to the univerſall multitude of the Subjects. So farre hee.

Iacob Almain de poteſt. Eccl. cap. 1.

Marſil. Patav. de tranſl. Imperii cap 6.

From theſe, the Puritans have learned their errour of the *power of States-men over Kings,* then which, no opinion can bee more dangerous: where the Nobility are as ready to practiſe, as the Puritan Preachers are to preſcribe. What preſumption is it in men, to paſſe the bounds which God hath

hath ſet them, to controll the wiſedome of the Lord, and his unſpeakable goodneſſe, when hee maketh triall of the patience of his Saints, by the outrage and tyranny of cruell Kings, that they which are found patient in trouble, conſtant in truth, and loyall in ſubjection, may bee crowned with glory. Were wee perſwaded, that the *hearts of Kings are in Gods hand*, that the haires of our head are numbred, and that no affliction can befall us, which God doth not diſpoſe to the exerciſe of our faith, the triall of our conſtancy, or the puniſhment of our ſinne, wee would as well admire the juſtice of God, in permitting Tyrants, that our ſinnes may bee judged, and puniſhed in this World, as praiſe his mercy and favour, in giving reſt to his ſervants, under the protection of godly and gracious Princes.

The ninth Chapter ſheweth the generall conſent of the Moderne Puritans touching the coercion, depoſition, and killing of Kings whom they call Tyrants.

THe Citizens of *Geneva*, changed the Government from a *Monarchy* to a *Democrity* in the yeare of Chriſt, 1536. In the which yeare, *Iohn Calvin* came into that City, to viſit his friend *Farellus*; And was choſen the publike reader of Divinity. At his firſt comming thither, hee publiſhed his *Theologicall inſtitutions*. Wherein hee doth very learnedly, and Chriſtianly intreat of the authority of Princes, and the duty of ſubjects. One onely place is harſh, and dangerous: delivered in obſcure, and doubtfull tearmes, to excuſe (as I conceive) the outrage of the Citizens, againſt their Prince, whom they had not many weekes before expelled: not to authoriſe other men to attempt the like againſt

againſt their ſoveraigne Magiſtrates. His words are theſe, *Si qui ſunt populares Magiſtratus, ad moderandam regum libidinem conſtituti.* If there bee any popular Magiſtrates, to reſtraine the licentiouſneſſe of Kings, of which kind were the *Ephori* oppoſed againſt the *Lacedemonian* Kings, the Tribunes of the people, which curbed the *Romane* Conſuls, and the Demarchy which brideled the Senate of *Athens*; And ſuch peradventure as things now ſtand are the three ſtates in every Kingdome, aſſembled in Parliament. I doe not deny, but theſe in regard of their duty, ſtand bound to repreſſe the unrulineſſe of licentious Kings: Nay, I affirme, that if they doe but winke at thoſe Kings, which peeviſhly make havock of their people, and inſult againſt their communalty, that they want not the guilt of hainous treachery, becauſe they betray the liberty of the people, whoſe guardians they know themſelves to bee appointed. Thus farre *Calvin*. Since which time all Puritans have turned his conjunction *conditionall*, into an *illative*, his adverb of *doubting* to an *affirmative*, and his permiſſive, *Non veto*, into a verb of the *imperative mode*, in their bookes of regiment ſecular, and Diſcipline Eccleſiaſticall. *Inſtit. lib. 4. cap. 20. Sect. 31.*

Chriſtopher Goodman, publiſhed a treatiſe of obedience at *Geneva*, not without the very good liking and approbation of the beſt learned in that City, 1557. wherein hee affirmeth, That if Magiſtrates trangreſſe Gods law themſelves, and command others to doe the like, they looſe that honour, and obedience which otherwiſe is due unto them: and ought no more to bee taken for Magiſtrates: but to bee examined and puniſhed as private Tranſgreſſours: So farre *Goodman*. *Pag. 119.*

Much about the ſame time was *Knoxe* his *appellation* printed in the ſame place, wherein hee feareth not to affirme, That it had beene the duty of the Nobility, Iudges, Rulers, and people of *England* not onely to have reſiſted *Mary*, that *Iezabel* whom they call their Queene, but alſo to have puniſhed her to the death, with all ſuch as *Geneva fol. 56.*

ſhould have aſſiſted her, what time that ſhee openly beganne to ſuppreſſe Chriſts Goſpell, to ſhed the bloud of the Saints, and to erect that moſt Deviliſh Idolatry, the Papiſticall abhominations, and his uſurped tyranny. Thus farre *Knox*.

Ann. 1560. *Theodore Beza* printed his Confeſſions, wherein hee avoucheth, That there are vices inherent in the Perſons of Princes, though they bee lawfully eſtabliſhed, by ſucceſſion, or election, *viz.* Vngodlineſſe, covetouſneſſe, ambition, cruelty, luxury, lechery, and ſuch like ſinnes which Tyrants delight in. What ſhall bee done in this caſe to theſe Princes? I anſwer (ſaith hee) that it belongeth to the ſuperiour powers, ſuch as are the ſeven Electours in the Empire, and the States-men of the Kingdome almoſt in every Monarchy, to reſtraine the fury of Tyrants, which if they doe not, they are Traytours to their Countries, and ſhall before the Lord give an account of their treachery. Thus farre *Beza*.

Pag. 216.

1561. The very yeare after, there was a contention betweene the Nobility and Clergy of *Scotland* about this matter, (as *Buchanan* reporteth:) let him tell his owne tale. *Calendis Novemb. Regina ad Miſſam:* The Queene upon the Feaſt of All-Saints, added to her private Maſſe all the ſolemnities and ſuperſtitious Ceremonies of the Papiſts; The Miniſters of the Goſpell tooke it very ill, complained thereof to the people, in their publike congregations, and admoniſhed the Nobility of their duty in that behalfe: whereupon roſe a controverſie in a houſe of private meeting, betweene the Nobles and Preachers, whether the Nobles may reſtraine Idolatry, that is like to breake out to a generall deſtruction: and by rigour of law, compell the chiefe Magiſtrate to his duty, when he exceeded his bounds? The Miniſters of the Church ſtood ſtedfaſt in opinion, as they had formerly done, that the chiefe Magiſtrate may bee compelled even by forcible meanes to live according to law: but the Noble men becauſe of the Queenes favour, hope of

Rerum Scot. lib. 17. *pag.* 599.

Note how baſely the Puritans eſteeme the Nobility when they ſhwart them.

of honour, or love of lucre, did a little waver, and thought otherwiſe then the Miniſters: and ſo in the end judgement paſſed with the Nobles, becauſe they were more in number and of better eſteeme and reputation. Thus farre *Buchanan.*

1568. The outlandiſh Churches in *London* concluded this Canon in a claſſicall Synod, *Si quiſquam repugnantibus legibus Patriæ:* If any man uſurpe Lordſhip, or Magiſtracy, againſt the lawes and priviledges of the Countrey, or if hee that is a lawfull Magiſtrate, doe unjuſtly bereave his ſubjects of the priviledges, and liberties which he hath ſworne to performe unto them, or oppreſſe them by manifeſt tyranny, the inferiour officers muſt oppoſe themſelves againſt him, for they are in duty bound before God, to defend their people, as well from a Domeſticall, as a forraigne Tyrant. Thus farre they. *Beze epiſt. 24.*

1574. Wee had ſwarmes of caterpillers: namely, *Diſciplina Eccleſiaſtica* from *Rochel*, to teach us, that the Senate Eccleſiaſticall hath the chiefe moderation of the Chriſtian ſociety, and ought to provide that no Magiſtrate bee defective in his charge, and by common care, counſell, and authority to overſee, that every Governour cary himſelfe faithfully in his Magiſtracy. Thus farre that authour. *Fol. 105.*

Franco Gallia from *Colen*, wherein wee find that the people hath power to dethrone their Princes. *Pag. 48.*

Iunius de jure Magiſtratuum (as ſome thinke from *Geneva*,) wherein it is ſaid, that the people have the ſame right to depoſe Kings that are Tyrants, which a generall counſell hath to diſplace a Pope that is an Heretique. *Pag. 306.*

Euſebius Phyladelphus from *Edenborough*, wherein wee read, that it was as lawfull for his Brethren of *France*, to defend themſelves againſt the tyranny of *Charles* the ninth King of that name in *France*, as for wayfairing men to reſiſt and repell theeves, cut-throats, and wolves: nay further, I am (ſaith hee) of opinion with the old people of *Rome*, that of all good actions the murther of a Tyrant *Dialog. 2. pag. 57.*

is moſt commendable. Thus farre hee.

Pag. 206. 1577. Came forth the *Vindiciæ contra Tyrannos*, with this reſolution, That Princes are choſen by God, eſtabliſhed by the people: every private man is ſubject to the Prince: the Multitude and the Officers of State which repreſent the Multitude, are Superiours to the Prince: yea they may judge his actions, and if hee make reſiſtance, puniſh him by forcible meanes. So farre hee.

1584. *Daneus* finiſhed his booke of Chriſtian policy, wherein among many other hee propoundeth, and anſwereth a *Noble queſtion*, as hee termeth it. *Nobilis quæſtio ſequitur.* A noble queſtion followeth, whether it bee lawfull for ſubjects to change and alter their Government? Yea, whether it may bee done by godly men with a good conſcience? his anſwer is. The chiefe Magiſtrate, that notoriouſly and wilfully violateth the fundamentall Lawes of the Kingdome, may bee diſplaced by godly ſubjects, with a good conſcience. And this is his reaſon, *Reges ſummique Magiſtratus*, Kings and chiefe Magiſtrates are the Vaſſals of the Kingdome, and of the Common-wealth where they rule: Wherefore, they may bee diſpoſſeſſed and dejected when they ſhall obſtinatly attempt any thing, againſt the feudall Lawes of the Kingdome where they governe, as Kings and chiefe Magiſtrates. And it is truly ſaid, that as a generall Councell, is above the Pope, ſo the Kingdome or the Peeres of the Land, are above the King. Thus farre *Daneus*.

Lib. 3. *cap.* 6.

De jure Reg. pag. 31. 1585. *George Buchanan* proclaimed Rewards as well for murthering Kings as killing Tygers. If I (ſaith hee) had power to make a Law, I would command Tyrants to bee tranſported from the ſociety of men into ſome ſolitary place, or elſe to bee drowned in the bottome of the Sea, that the evill ſavour of dead Tyrants ſhould not annoy living men. Further more I would award recompence to bee given for the ſlaughter of Tyrants, not onely of all in generall, but of every one in particular, as men uſe to reward them.

them for their paines which kill Wolves or Beares, and deſtroy their young ones. *Hæc ille.*

The ſame yeare *Thomas Cartwright* commended *Dudley Fenners* his *Sacra Theologia* (as they call his booke) to the World, wherein men are warranted by ſundry Texts of Scripture, moſt miſerably abuſed, to deſtroy Tyrants. Therein hee (following the Common opinion of the *Puritans*) maketh two ſorts of Tyrants, *Tirannus ſine titulo*, and *Tirannus exercitio*. For the Tyrant without title: Hee is confident, that any man may cut his throat. *Huic quiſque privatus reſiſtet, etiam ſi poteſt è medio tollat*, Let every private man reſiſt him, and if hee can, take away his life. For the Tyrant exercent: having deſcribed him to bee a Prince, that doth wilfully diſſolve all, or the chiefeſt compacts of the Common-wealth, hee concludeth againſt him, *Hunc tollant, vel Pacifice vel cum Bello, qui ea poteſtate donati ſunt, ut Regni* Ephori *vel omnium ordinum conventus publicus:* The Peeres of the Kingdome or the publique aſſembly of States, ought to deſtroy him, either by peaceable practiſes, or open warre. *Hæc ille.* *Lib. 5. cap. 13. pag. 185.*

Anno 1588. *Hermanus Renecherus* publiſhed obſervations upon the firſt Pſalme, wherein hee inveſteth the Preſbitery with all the Popes Prerogatives. Concerning the Presbiterian power over Kings, this is his notable annotation: God (ſaith hee) hath ordained the Civill Magiſtrate for the good of the Eccleſiaſticall order, therefore the Eccleſiaſticall State is the higheſt throne of Gods earthly Kingdome, the ſupreame ſeate of all excellency, and the chiefeſt Court wherein God himſelfe is preſident, to diſtribute eternall gifts to his ſervants. Whereas the politicall Empire is but as it were an inferiour bench, wherein juſtice is adminiſtred according to the preſcription of the Eccleſiaſticall ſoveraignty. Thus farre *Renecherus.* *Pag. 72.*

Robert Rollocke, a man otherwiſe very learned, is carried with the current of this errour, and borrowed his aſſertion of Maſter *Fenner*, whoſe words hee expoundeth by way

In *Daniel.* *cap.* 5. *pag.* 150.

of *paraphraſis*, in his commentaries on *Daniel* printed at *Edenborough*, 1591. Though the chiefe lawfull Magiſtrate (ſaith Maſter *Rollock*,) doe many things unjuſtly and tyrannouſly, hee may not raſhly bee violated, by them eſpecially which have not authority: but the Nobles or the publike aſſembly of States, muſt reduce him to his duty by reproofe and all other lawfull meanes, 1 *Sam.* 14. 46. If hee doe ſtill perſiſt in open and deſperate tyranny, wilfully diſſolving all or the chiefeſt compacts of the Common-wealth, private men muſt not yet meddle with him, onely the Peeres, or the publike aſſembly of all States to whom that charge belongeth, muſt provide that the Church and Common-wealth come not to deſolation: though it cannot otherwiſe bee done, then by the death and deſtruction of the tyrant. Better it is that an evill King bee deſtroyed, then the Church and State together ruined. Thus farre *Rollock*. For proofe hee referreth his Reader firſt to the 1 *Sam.* 14. 46. *viz. Then* Saul *came up from the Philiſtims, and the Philiſtims went to their owne place: ergo* Kings that are wicked may bee reduced to their duty by the Peeres, or aſſembly of States according to the rules of the new *Puritan logicke*. Secondly, for the killing and deſtroying of Kings, hee referreth his Readers to the 2. *Reg. cap.* 11. *verſe* 4. 5. 6. 7. which place I thinke hee never vouchſafed to looke upon, but ſet it downe as hee found it quoted in *Fenners* Divinity, from whom hee hath taken all the reſt.

I will make an end with *William Bucanus*, whoſe Booke was publiſhed at the requeſt, and with the approbation of *Beza* and *Goulartius*, maine pillars of the Church of *Geneva*. 1602. They (ſaith *Bucanus*) which have any part of office in the publike adminiſtration of the Common-wealth, as the Overſeers, Senatours, Conſuls, Peeres, or Tribunes, may reſtraine the inſolency of evill Kings. Thus farre hee.

Loco 76. *pag.* 844.

This *Puritan dangerous* errour is directly repugnant to the Law, the Goſpell, the Precepts of the Apoſtles, the practiſe



practiſe of Martyrs, and the Doctrine of the Fathers, Councels, and other claſſicall Writers, as I have proved in the ſix former Chapters: and will more directly ſhew (by the grace of God) in my other Booke: wherein the holy texts of Scripture, which the *Papiſts* and *Puritans* doe damnably abuſe againſt the Eccleſiaſticall and Civill authority of Kings, ſhall bee anſwered by the godly Proteſtants: whoſe labour God uſed to reforme his Church ſince the yeare of our Lord. 1517. and by the ancient Fathers and Orthodoxall Writers in every age of the Church. This *Puritan poſition*, which authoriſeth Nobles and aſſemblies of States againſt wicked Kings, is the very aſſertion of the moſt ſeditious *Ieſuites*, that have lived in our age, as I will demonſtrate by two or three: *Iohannes Mariana*, whoſe Booke ſeemeth to bee written in defence of *Clement* the Frier, who ſtabbed *Henry* the third King of *France*. The faults and licentiouſneſſe of Kings (ſaith *Mariana*) whether they raigne by conſent of the people, or right of inheritance, are to bee borne and endured, ſo long as the Lawes of ſhamefaſtneſſe and honeſty, whereto all men bee bound, are not violated: for Princes ſhould not raſhly bee diſturbed, leaſt the Common-wealth fall into greater miſery and calamity. But if the Prince make havock of the Common-wealth, and expoſe the private fortunes of his ſubjects for a pray to other men, if hee deſpiſe Law, and contemne Religion, this courſe muſt bee taken againſt him. Let him bee admoniſhed and recalled to his duty: if hee repent, ſatisfie the Weale-publike, and amend his faults, there ought (as I thinke) to bee no further proceeding againſt him. But if there bee no hope of his amendment, the Common-wealth may take away his Kingdome. And becauſe that cannot bee done (in all likelihoode) without warre, they may levy power, brandiſh their blades againſt their King, and exact money of the people, for the maintenance of their warre: for when there is no other helpe, the Peeres of the Common-wealth, having proclaimed their King a pub-

De Regis inſtit. l. 1. c. 6.

publike enemy, may take away his life. Thus farre *Mariana.*

In Heſter c. 1. pag. 88. The States-men of the Kingdome (ſaith *Franciſcus Fevardentius*) have a ſoveraigne power over their Kings: for Kings are not abſolutely eſtabliſhed, but ſtand bound to obſerve lawes, conditions, and compacts, to their ſubjects: the which, if they violate, they are no lawfull Kings, but Theeves and Tyrants, puniſhable by the States. Thus farre *Fevardentius.*

De jure Magiſt. fol. 18. Inferiour Magiſtrates (ſaith *Iohannes Baptiſta Ficklerus*) are the Defenders and Protectours of the Lawes and rights of the State, and have authority (if need require) to correct and puniſh the ſupreame King. So farre *Ficklerus.*

An *Engliſh* fugitive, which was the Authour of the booke *De juſta abdicatione Henrici tertii*, affirmeth, That all the Majeſty of the Kingdome, is in the aſſembly of States-men, to whom it belongeth to make covenants with God, to diſpoſe of the affaires of the Kingdome, to appoint mat-
Lib. 3. cap. 8. ters pertaining to warre and peace, to bridle the Kingly power, and to ſettle all things that belong to publique Government. So farre hee.

Part. 1. cap. 4. pag. 72. And the moſt ſeditious *Dolemon* ſaith, that all humane Law and order Naturall, Nationall, and poſitive, doth teach, that the Common-wealth, which gave Kings their authority for the Common good, may reſtraine or take the ſame from them if they abuſe it to the Common ill: So farre *Dolemon*: and of this opinion are many other as may appeare by Doctor *Morton* by whom they are diſcovered and refuted.

How farre this gangrene will extend, I know not. The Kings of Chriſtendome are dayly crucified, (as CHRIST their Lord was) betweene two Theeves; I meane the Papiſt and Puritan, which have prepared this deadly poiſon for Princes, whom they in their owne irreligious and trayterous hearts, ſhall condemne for tyranny. I hope neither Peeres

nor

nor people will bee ſo fond to beleeve them, or wicked to follow them, which pretend the Reformation of Religion, and defend the ſubverſion of Chriſtian States. If inferiour Officers, or the publique aſſembly of all States, will claime this power, it ſtandeth them upon, (as they will avoid everlaſting damnation) not to derive a title from *Rome*, *Lacedemon*, or *Athens*, (as *Calvin* doth, whom the reſt follow) but from the Hill of *Sion*, and to plead their intereſt from the Law or the Goſpell. *Si mandatum non eſt præſumptio, & ad pœnam proficiet, non ad præmium: quia ad contumeliam pertinet conditoris, ut contempto Domino colantur ſervi, & ſpreto Imperatore, adorentur Comites.* If their oppoſition againſt Kings bee not commanded of God, it is preſumption againſt God: for it is a contumely againſt God the Creatour of all States, to deſpiſe Lords and honour ſervants, to contemne the ſoveraigne Emperour, and to reverence the Peeres of the Empire. So farre *Auguſtine*. *My ſonne* (ſaith *Solomon*) *feare God and the King, and meddle not with the ſeditious: for their deſtruction ſhall come ſodainly, and who knoweth the end of them?* The concluſion of all is, That Kings have ſupreame and abſolute authority under God on earth, not becauſe all things are ſubject to their pleaſure, which were plaine tyranny, not Chriſtian ſoveraignty: but becauſe all perſons, within their Dominions, ſtand bound in Law, allegiance, and conſcience, to obey their pleaſure, or to abide their puniſhment. And Kings themſelves, are no way ſubject to the controwle, cenſure, or puniſhment, of any earthly man, but reſerved by ſpeciall prerogative to the moſt fearefull and righteous judgement of God, with whom there is no reſpect of perſons. Hee whoſe ſervants they are, *Will beate them with a rod of iron, and breake them in peeces like a potters veſſell.* If they abuſe that great, and ſoveraign power, (which God had endued them withall,) to ſupport error, to ſuppreſſe truth, and to oppreſſe the innocent. God, of his great mercy, grant us the Spirit of truth, to direct us

Auguſt. in queſt. mixt.

Prov. 24. 21.

In all loyalty, that wee being not seduced by these seditious Sectaries, may grow in grace, stand fast in obedience, embrace love, follow peace, and encrease more and more in the knowledge of our Lord JESUS CHRIST. To whom bee all praise, power, and dominion now and for ever. Amen.

FINIS.

22

A FORME OF ECCLESIASTICALL GOVERNMENT:

Fitted to the present State of the Church of ENGLAND as now it standeth, not presumptuously prescribing what must bee done; onely propounded to the sincere consideration, of the more Iuditious.

In a way tending to introduce the Primitive Government.

Humbly presented to the High Court of *Parliament.*

1 Tim. 5. 17.

Let the Elders that rule well bee counted worthy of double honour, especially they who labour in the Word and Doctrine.

Hier. in 1 Tit. & in Epistola ad Evagrium:

By the custome of the Church, rather then by the truth of the Lords disposition, Bishops are greater then Presbyters, with whom they should rule the Church in Common.

After severall perusals published, *Anno Sal.* 1642.

London, Printed for John Hancock. Aug. 26

A FORME OF ECCLESIASTICALL GOVERNMENT

Humbly presented to the High Court of Parliament.

To any honeſt hearted Reader.

HOneſt hearted Reader, although the firſt intention was to preſent a briefe view, in halfe a ſheete of paper to the High and Honourable Court of Parliament, of the State of the Countrey, (eſpecially in theſe Staffordian parts, upon requeſt,) touching ſuch particulars, as are herein mentioned; yet having then onely drawne an over briefe and compendious comprehenſion of theſe things; *Dum brevis eſſe laboravi, obſcurus fui*, and was miſtaken by ſome that peruſed the ſame upon the breviaries firſt aſcention. Thereupon I have enlarged, the ſame for further explication, condeſcending to the apprehenſion of the weakeſt and meaneſt Reader (preſuming upon the patience of the Noble Patriots, to whom it is chiefely intended,) that ſo all ſorts might have the peruſall hereof for further ſatisfaction of thoſe doubts and objections, that very many make againſt the Presbyterian Government, as not to bee introduced into the Church of *England*, eſpecially not ſtanding with a Monarchicall Go-

vernment. Here, therefore is the Presbyterian way fitted to the State of the *Engliſh* Church, as now it ſtands, (in a way as neere as may bee, it being not neceſſary in every circumſtance to cohere with any other Church though never ſo ſound) by the admiſſion and ſetling whereof, might ariſe a moſt happy ſweet harmony, betweene our ſelves and other reformed Churches, eſpecially the Church of *Scotland*, betwixt whom it is moſt to bee wiſhed there may bee a concordance, being within the ſame Dominions. Great preſumption were it in any one man, eſpecially in ſo weake and meane a man, as my ſelfe, to preſcribe any thing in this kind; I have onely caſt in my *Symbolum*, yet not raſhly neither, for after I had ſet downe ſuch thoughts, as God was pleaſed to ſuggeſt unto mee at vacant houres, I firſt expoſed the Notes to the peruſeall of ſundry intelligent Readers, both of the Layty and Clergy, becauſe it concerneth both, and having ſo generall approbation, and ſo many encouragements by words and letters. I have beene bold to expoſe them to publike view, and that under this title, becauſe ſo many aſſent herein. I humbly wiſh, this generall anſwere may bee given to any, that may except againſt it, that as every one had liberty to bring ſomething towards the building of the materiall Temple, and they that brought but Goats haire were accepted: So is it not a time now for every one to doe ſomething to helpe forward the great worke in hand, ſome one way, ſome another? one that is inferiour, may put the more able and better gifted in mind of what may bee uſefull. Time was, when

the

the very keeking of the Geeſe was of ſingular uſe. That God that tieth not himſelfe to any meanes or inſtruments, but workes ſometimes without, againſt, or contrary to meanes: oftentimes by unlikely meanes and inſtruments, that ſo the glory may bee his owne, bringing mighty things to paſſe, not by might, not by power, but by his Spirit, that is, by the way and meanes which his Spirit revealeth and appointeth, before which, great Mountaines ſhall become a plaine; this God (I ſay) give his bleſſing to theſe endeavours, ſo farre as they are agreeable to his owne will, revealed in his owne word, and ſo to him alone ſhall bee aſcribed all the praiſe.

The generall Heads, briefely touching the whole, being as a taſt to ſuch, as have leaſure to read no more, the diſcourſe enlarging it ſelfe beyond the firſt intentions.

1. A Remonſtrance of the State of the Country in reſpect of Preaching, where it is ſhewed, moſt places have either no Preachers, or ſuch as are negligent, or ſuch as are ſcandalous. Hereupon aboundeth monſtrous diſſoluteneſſe of living. Pag. 1.

2. The cauſes and occaſions of ſuch ſcarcity of ſound Preaching, are conceived to bee five. Pag. 2.

3. The remedy propounded with all humility to conſideration, conſiſts in three words. Firſt, That ſuch places as have ſufficient Preaching, and maintenance ſo continue. Secondly, That ſuch as want maintenance, may have a competency from the people for the ſervice they doe them; proved by the law and the equity of the Goſpell. Yet to bee content with poverty where the people can afford no better. Three reaſons againſt Impropriations, and that they are the fitteſt maintenance. Yet no Impropriator to bee looſer by parting with them to the Church againe. Thirdly, That unfitting Preachers bee diſplaced, and have allowance. And ſufficient ones ſet in their ſtead, as they can bee procured. Till which time, places that want, are to bee ſupplied by weeekely exerciſes. The manner of the ſame, with an Apology for the tender. Pag. 3.

4. The ſetling of this courſe in a way tending to introduce the Primitive Government. The preſent Parliament to appoint

point Preachers for the ſaid weekely exerciſe in each hundred, which ſhould engage themſelves to uphold it their time. And to have power to renew their owne number upon the death of any, or any other occaſion, and to increaſe their number as faithfull Labourers increaſe. It hath beene Gods manner to joyne Miniſters together for their mutuall helpe. Theſe muſt be ſuch, as deſerve well A notable diſcovery how to find ſuch. Pag. 12.

5. For an happy progreſſe in reformation, the Parliament to appoint Aſſiſtants to the Miniſters, called Lay-elders. Some limited power to bee committed to theſe Paſtours and Elders conſiſting in foure things. Firſt, To overſee, that every place within their hundred, have ſufficient preaching as ſoone as can bee procured, and weekely exerciſes in the meane while. The Congregation, are to chuſe their Preacher, or conſent freely if it may bee. If they want judgement, then to have aſſiſtance. No buying, nor ſeeking living for the preferments ſake. The unworthy to bee refuſed or removed. Secondly, To overſee, that every place have ſufficient maintenance, according to the order the preſent Parliament ſhall appoint or preſcribe in their owne wiſedome. Thirdly, That they overſee the execution of Diſcipline. The office of Miniſters in this reſpect. The ceaſing hereof from the evils of our Spirituall Courts. The great neceſſity of Diſcipline. Power of the keyes what? why ſo called. Reaſons five againſt Paſtours, having temporall juriſdiction. Objections touching this anſwered. Divinity Lectures, monethly in each hundred by the Doctours (or Teachers,) ſeated in great benefices, able to maintaine both a Paſtour, and a Teacher. No Dioceſan-Lord-Biſhops. The beginning of the Romane Primacy. Fourthly, That the Paſtours and Elders overſee ſuch Deacons in ſuch a way for the Poore as the Parliament ſhall appoint. Pag. 15.

6. The modeſt confirmation of this courſe, ſeverall wayes: Firſt, From the nature of Church Government. Secondly, From 10. Scriptures opened and examined. Herein is ſhewed what Prophecy is, Teaching, and Exhorting, belong thereto. Alſo what Miniſtry is, Its offices are: First, To diſtribute. Secondly, To governe. Thirdly, To ſhew mercy. Some offices temporary)

porary as Apoſtles, ſome perpetuall as Teachers. Maintenance due to Church-officers. Ever looke to CHRISTS *inſtitution. Thirdly, From reaſons taken. Firſt, From the objects of Church Government. Secondly, From the parts and faculties, or powers of man. Thirdly, From the State of the Church. The fourth Teſtimony, is from Authours generally received as Orthodox, touching Paſtours, Teachers, Diſcipline, Deacons, the power of Church-meetings, elections, and deciding controverſies, and touching order. All which, ſhew that the variation from this government, here pointed out in theſe things, did grow rather by cuſtome of the Church then by any ordination of* CHRIST *and his Apoſtles. A fifft confirmation is from the remove all of* 10. *objections. The Civill Government of the Church briefely related in the laſt anſwere.* 28.

Laſtly, the Concluſion of the whole, wherein we are deſired not to cleave to thoſe that weave the web of their owne inventions, but Vſque ad necem, *to ſtick faſt to* CHRISTS *owne inſtitution, the want whereof, is a maine cauſe, why the word of God in the Miniſtry thereof, taketh ſo little effect in theſe corrupted times. The end of this worke is, that wee may not onely bee delivered from Tyranny, but alſo preſerved from confuſion. To which end, the Almighty ever guard, and guide all your Honours.* Pag. 57.

THE COUNTREY

MINISTERS Submiſſive anſwer to the Honourable *Parliament*, moſt happily aſſembled this preſent yeare of *Chriſt*, 1641.

Deſiring of them (as they are certified by particular letters) their certificate of the State of their Countrey, and their opinion for the remedy, doe make a Remonſtrance of the State of their Countrey; and doe propound to conſideration the enſuing courſe, for the inſtruction and reformation of ſuch places of the Kingdome as are ignorant and vaine, through want of faithfull Preaching and Diſcipline.

The Remonſtrance.

THe want of Preaching in the Countrey, is ſuch, that in ſundry Pariſhes and Chappelries, there hath beene no Preaching miniſtry ſetled ſince the Reformation. And a great part of thoſe who ſometimes preach, are very negligent in their places, or ſcandalous in their converſations; So that there is not a fourth part of the Churches and Chappels ſupplied by able men, and diligent in their functions;

1 *Remonſtrance.*

Want of Preaching.

whereupon as there is ſuch ſcarcity of meanes of Reformation, ſo there is abundant diſſolutneſſe in the Countrey. One of our Countrey Townes conſiſting of fifty Families, there can but few bee found amongſt them all, but they have within theſe late yeares beene ſcandalouſly blemiſhed with that fowle vice of effeminate unclearneſſe, drunkeneſſe, and other vices abounding therewith. And many other Neighbouring Townes in as ill report: Every one doth almoſt what hee will, as *Iſrael* did when there was no Government amongſt them, yet little care is taken by any to redreſſe any thing.

Much diſſolutneſſe.

The cauſes and occaſions thereof.

2. Cauſes are 5. THe cauſes and occaſions of this ſo great and lamentable ſcarcity of Preaching, wee conceive to bee:

Want of maintenance: 1. Want of maintenance, not one place of foure having a competent proviſion for an able Miniſter. The which is occaſioned;

Occaſioned 3. wayes. Firſt, By the alienation of Church maintenance to the Biſhops and Cathedrall Churches; one Cathedrall Church reaping the profits of fourty Churches and Chappels, or there about, conceived to bee a full fourth part.

Secondly, By the multitude of other impropriations that are withheld from the Church, and no competency in liew thereof.

Thirdly, By diſcouraging of men piouſly affected, from diſtributions to neceſſitated places, eſpecially *Londoners*, who had begunne to give a worthy precedent, and then had their meetings forbidden, yet are not wholly fallen.

Patrons. 2. Another cauſe of ſuch ſcarcity of Preaching is negligence of many Patrons in the promotion of Incumbents to Eccleſiaſticall preferments; oftentimes little reſpecting mens deſervings, but ſiniſter reſpects.

Ordinaries. 3. The careleſſe admiſſion by Ordinaries of thoſe who are thus preſented: Little inquiring into their parts, leſſe into their

their converſation, leaſt of all into their zeale to promote the knowledge of God and godlineſſe, except it bee to quench it ſome way or other.

4. The frequent permiſſion of Pluralities in ſundry parts of the Countrey, amounting to a great number. *Pluralities.*

5. The rigid preſſure of Ceremonies, together with innovations of that nature multiplied without ſtint, to the diſheartening of many from entring upon the worke of the Miniſtry, and others from the execution. *Ceremonies.*

The Remedy.

IN tender conſideration of the premiſes, wee crave leave for three words; with all humility ſuing to your Honours, that they may bee taken into your grave conſideration, as the cauſe of Chriſt and his Church. *3. Remedies in three words.*

The firſt word.

1. *SVch Churches and Chappels as are already furniſhed with ſufficient Preaching, and ſufficient maintenance, wee onely wiſh may proſperouſly continue conſtant.* *Sufficient to continue.*

The ſecond word.

2. *SVch Churches and Chappels as are furniſhed with ſufficient Preaching, and yet the painefull Preachers there, want ſufficient maintenance, wee humbly wiſh, that a competency may bee made for ſuch out of the revenues belonging to that pl , as out of the Parſonage, Vicarage or Impropriation thereun appertaining, if from thence it may bee had.* *Maintenance ſupplied, and how.*

That the people ſhould maintaine the Miniſter ſufficiently was figured, *Numb.* 5. 9. The Prieſts and Levits had maintenance ſufficient provided for them, *Numb.* 18. 9. 10. The Lord ſet out the Prieſts portion of the peoples offrings, and hallowed things after hee had preſcribed their office. This maintenance and livelyhood they ſhould have from *Figured by the law.* Num. 5. 9. and 18. 9. 10. and Verſe 19.

the people for their ſervice. This maintenance that God beſtowed on the Prieſts for their ſerving of him, was a bountifull maintenance, *Numb.* 18 19. To the end, hee might encourage them in his ſervice, as it is ſaid in 2. *Chron.* 31. 4. And there was not any of them that did ſo much as ſhut the doores of Gods ſanctuary, or kindle a fire on his Altar for nought; *Mal.* 1. 10. And to the Sonnes of *Levi*, the Lord gave all the tenth in *Iſrael* for an inheritance for their ſervice which they ſerved; for as the *Levits* were joyned to the Prieſts in ſervice, ſo in proviſion for maintenance, *Numb.* 18. 21. Though the *Levits* had no inheritance in the promiſed land. *Numb.* 26. 62. Yet were they to have 48. Cities and the Suburbs to them for their habitation, *Num.* 35. which fell to them by lot, *Joſ.* 21. 4. And when the people neglected their duty in not giving ſuch things as were appointed, then was the houſe of God forſaken. And the godly Governours looked to the redreſſe thereof; *Neh.* 13. 10. 11. 12. The nation of the Iewes were accurſed with a curſe for this cauſe, in that they kept back their tithes and offerings which they ſhould have brought into the ſtore-houſe, that there might have beene meate for the houſe of God for his Miniſters, *Mal.* 3. 8. 9. 10.

Equity in the Goſpell. Now the equity of theſe things remaine perpetually, as the Apoſtle obſerveth, ſaying: *Doe yee not know that they that miniſter about holy things, eate of the things of the Temple, and they which wait at the Altar, are partakers with the Altar? Even ſo hath the Lord ordained, that they which preach the Goſpell, ſhould live on the Goſpell*; 1 *Cor.* 9. 13. 14. And as the miniſtry now is more excellent then the miniſtry of the law. So ſhould the Reward for the more excellent ſervice not bee inferiour, to that which God gave for the leſſe excellent worke and ſervice. By *Numb.* 18. 31. what they had in the law, appeareth to bee their due for the ſervice they performed for the people: So the Apoſtle, ſpeaking of the honour, due to the Miniſters of CHRIST, ſaith, *The Labourer is worthy of his reward*, 1 *Tim.* 5. 17. 18.

And

And CHRIST himselfe tels his Disciples, *The Labourer is worthy of his reward*, *Luke* 10. 7. But this matter wee are loath to presse, least wee should seeme to preach our selves, though indeed this is a part of Scripture, which wee must not neglect when occasion requireth us to speake of it.

Yet to be content with poverty, when the place can afford no better.

But what if the Revenues of the place bee so small, and the poverty of the people such, that the Pastour cannot have a competency, what must bee done then? Surely that Minister whom God hath set over such a people must bee content with his portion, taking in good part what sufficeth for necessity, seeing hee is by Gods all-ordering providence seated amongst a people that are not able better to provide for him. Remembring those words of our Saviour, *Rev.* 2. 9. *I know thine affliction and thy poverty, but thou art rich.* The Angell of that Church of *Smyrna* was a right excellent Shepheard, and tooke great paines in feeding and guiding the flock of CHRIST, yet his reward in this World was but smale, hee lived in poverty. But what, did not the flock care for him? yea doubtlesse, if they had beene rich, hee should not have beene poore. Hee did not repine at it. Hee was not an hireling that dealt for filthy lucre, but dealt even of love, and as Saint *Peter* requireth, of a ready mind, 1 *Pet.* 5. Hee saw what labours the Holy Apostles endured, what dangers they passed through, and how poore they were touching worldly wealth. Saint *Paul* saith of himselfe, wee are poore and yet make many rich; 2 *Cor.* 6. 10. This is a worthy example for us to follow.

Indeed to many amongst us, if they have gifts of learning for the ministry, and bee employed thereto, and take paines, they thinke it so unworthy a thing to bee in poverty, as that they are ready to bee impatient at it; and thinke that the excellency of the worke of the ministry may warrant them to heape up Worldly treasure, even to the detriment of the Church; whereas certainely if the charge bee committed to us to feed the flock of CHRIST, and the

flock bee in that ſtate, that wee cannot have the wealth of the World to abound in any plentifull meaſure, wee muſt bee content with that which may ſuffice even for neceſſity. Wee are not better then the Apoſtles were; wee are not better then the Angell of the Church of *Smyrna*. If wee ſhould ſtand on getting wealth, and preferment here, it might bee ſaid to us, you laboured indeed, but you had your wages.

A fowle corruption alſo it is in ſome Miniſters that ſuffer themſelves to bee annoyed with popular feare, ſo as that they are moſt affraid of diſpleaſing private perſons, eſpecially in Pariſhes where their maintenance doth ariſe from the voluntary contribution of the people, who too much ſeeke to tie the tongues of their Preachers to their purſe ſtrings, (as it were,) which muſt open and ſhut according to their quarterly fantaſies. So that the people are bountifull in many places, onely to ſuch, as preach as they would have them, ſuch Preachers fare daintily, when others muſt take up with herbs.

Reaſons againſt Impropriations 3.

Thus then for concluſion of this matter touching Church maintenance, wee wiſh that impropriations may bee all laid to the Church againe, and doe humbly ſue and petition for it, conſidering:

Firſt, They were once lawfully laid to the Church, and never yet lawfully taken away againe.

Secondly, There is no other certaine proviſion made for the miniſtry of the Goſpell in this ſetled ſtate but this.

Thirdly, The Goſpell herein ſhould not bee inferiour to the law.

Yet Impropriatours not to bee looſers.

Yet wee doe not otherwiſe move this, but that as neere as may bee, ſuch as are the preſent Impropriatours ſhould not bee looſers, but if they hitherto have not made themſelves Savers by the holding of them, our motion is, that they ſhall ſtill continue holding them, or moſt part thereof till they bee; elſe ſuffer themſelves to bee bought out by this well ſeemely. Our truſt is, ingenuous Gentlemen will

bee

be content in this caſe to be no Gainers by the Churches revenues, and wee doe not move for them to become loofers. If any other more likely courſe can be found out for Church maintenance then the tythes, &c. Wee ſhould rejoyce to bee eaſed of an Earthly incumbrance, and occaſion of difference betweene Paſtour and People.

The third word.

3. *THat ſuch Pariſhes and Chappelries as are not ſufficiently provided of honeſt painefull Preachers, but they are either unable, unwilling or ſcandalous, &c. Our opinion and humble wiſh is, that thoſe and all other ſuch defective Miniſters that are indeed unworthy of their places, that they bee diſplaced; and that ſufficient Incumbents bee ſet in their ſtead, which ſhould allow the diſplaced ones ſome competency, as the places can afford; as for example, 30. l. out of 80. and ſo proportionably in all other places whatſoever the value is. For the which yearely ſumme the diſplaced ones ſhould bee as aſſiſtants to the new incumbents to performe ſome eaſie ſervice, if they bee not ſo ſcandalous as to bee utterly unworthy of any ſuch holy employment at all: which if they bee, then to have but 20. l. &c. Inſtead of the ſaid 30. l. and betake themſelves to ſome other employment for their owne good.* *Preaching ſupplied, and how.*

Great cauſe there is in the Countrey that the Honourable Parliament ſhould labour to redreſſe theſe things, as *Neh.* 13. 10. &c. For there is an woefull crue, a raked regiment of unlittered or ſcandalous blemiſhed ones covered with Prieſts garments, which cover the Land like the frogs of *Egypt*, *Exod.* 8. 6. Leading many thouſands with themſelves, (as may bee feared) into the ditch, as *Matth.* 15. 14. And yet the ſame ſtill graced and countenanced by ſuch as ſhould have kept them out at firſt, or rooted them forth afterwards, but alas, they are there Creatures. Many are ordained by men, and ſent abroad by them into the Countrey, that are even as fit for the Church, as an Aſſe for the Lute; (*Aſinus ad Liram,*) or as a Blind man is to bee made a Painter. *Vnworthy Preachers to bee diſplaced and have allowance.* Neh. 13. 10. &c. Matth. 15. 14.

Painter. They move us to uſe language too light, for your Honours gravity.

Indeed it is true, wee read that the Prieſts were ſometimes ſimple, ſometimes wicked men, as the Sonnes of *Ely* were the Sonnes of *Beliall*, 1 *Sam* 2. 12. and that none were to deſpiſe the ordinances of God for the unworthineſſe of ſuch Prieſts, for God promiſed that hee would bleſſe the people, *Num.* 26. 27. And in the Hebrew Canon they have this rule, *Doe not marvell, and ſay, what availeth the bleſſing of this ſimple Prieſt? for the receiving the bleſſing depends not on the Prieſt, but on the holy bleſſed God*, as it is written in the quoted place; *They ſhall put my name upon the Sonnes of* Iſrael, *and I will bleſſe them.* Yet pleaſe to remember the end, not onely of *Ely* his Sonnes, but even of *Ely* himſelfe too. And God forbid, the Fathers and Mothers of the Church of *England*, ſhould ſuffer ſuch things in their Sonnes that are got into the miniſtry, and not reſtraine them, contenting themſelues with a ſleighty rebuke, &c.

Wee deny not, but there are many amongſt us preach earneſtly, but it is their owne Doctrine, and great puniſhments doe they threaten to the neglecters thereof: But that which God hath expreſſely and earneſtly commanded, they preach very ſlackly. Yea they would diſcharge men from the puniſhment which God threatens to the Tranſgreſſours of them, like thoſe in *Jer.* 14. 23. 27. *chapters*, and thoſe in *Ez.* 13. Theſe are the moſt pernicious, being often liſtened unto by many that are apt to receive pleaſing things, and the Doctrines of men ſuteable to their owne humours.

All theſe unable, unwilling, ſcandalous and dangerous Preachers, whence came they? how got they in? ſurely they are climbed in at the window. For the dumbe and unlearned God ſent not; ſuch as cannot, and ſuch as will not preach God ſent not: for whom hee ſent, he ſent to preach, and enabled them thereunto. But theſe ſteale and murther; they are Theeves and Robbers, Foxes and Wolves. They are Theeves (doth not CHRIST himſelfe call them ſo?

let

let not the termes bee offenſive) for they take the tythes as Gods part, and doe not the office God hath appointed for ſuch livings, that is, they feed not the flock with his word. If any take on him to bee a Phyſition, and is not, but takes 10. l. to cure ſuch an one, and either runneth away or doth no good, were not this apiſh Phyſition a Thiefe? If to mend the high wayes, the Pariſh gather money, and truſt one ſupervisor to repaire them with it, and hee either runneth his way with the money, or doth them no good, is not hee a thiefe? Thus doe the foreſaid Miniſters, are they not then Theeves and Robbers? They take away Gods goods, and their Neighbours againſt their will, and therefore they are Robbers; yea they are very Murtherers, Wolves, and falſe Prophets. A woman taking a child to nurſe, and either wanting milke herſelfe, or an heart to give it any, ſuffers the child to periſh, is ſhee not a Murthereſſe? ſuch are theſe, *Ez.* 33. Such Watchmen as warne not, are guilty of bloud, and ſo become Murtherers, *Ez.* 24. Wee hope the phraſes will not offend, ſeeing CHRIST and the Holy GHOST uſe them, and apply them to ſuch as wee ſpeake off.

A Similie.

A Similie.

A Similie.

Wee grutch not any that are godly, though never ſo much promoted above us by inward or outward endowments; But our complaint is of falſe Prophets, which occupy the rooms of true Paſtours, and either are not ſent, elſe if they be ſent, do not exerciſe their office as God hath commanded, but quite otherwiſe. A lazie perſon is unfit for the Clergy, none but labourers were ſent into CHRISTS Vineyard. An Angell appeared to *Zacharias* exerciſing his Prieſthood. Yet of any of the foreſaid ſorts the idle ſeemeth beſt, ſilence being better then bad ſpeech.

And ſufficient ones ſet in their ſtead, as they can bee procured.

Then on the other ſide, theſe unworthies are not onely to bee diſplaced, but *ſufficient Incumbents are to bee ſet in their ſtead, &c.* as was ſaid. There ſhould bee ſuch as would purely deliver the word of God, as was ſignified by the ſilver trumpets, *Num.* 10. 2. The materials being pureſt and fitteſt for ſound, the Miniſtery of the word of God, and

the graces of his Spirit, were signified thereby, *Esa.* 58. 1. and 27. 13. *Ezek.* 33. 3. *Rev.* 4. 1. 1 *Cor.* 14 8. The Hebrewes say, *If the Trumpets were made of any other matter, they were unlawfull:* So amongst us. *The tongues of the just must bee as choyce silver, Prov.* 10. 20. *For the words of the Lord are pure, as silver purified, &c. Psalm.* 12. 7. Also these Trumpets were of beaten worke wrought with the hammer, beaten into a plate: signifying the labours of the Ministers of God, giving themselves continually to prayer, and to the Ministry of the word, *Act.* 6 4. That so these Trumpets may give a cleere and certaine sound, for, and unto the people, to call them home to God by happy conversion. But this so cleere a case, especially by the new Testament, chiefely in *Pauls* Epistles to *Timothy*, whom hee would have to *bee instant* in Preaching the word, even to stand upon points, beat much upon them, presse them home, and that both *in season and out of season, and reprove, rebuke, exhort, with all long suffering, to watch unto all things, to endure affliction to doe the worke of an Evangelist, to make full proofe of his Ministry, to shew himself a workman that needeth not bee ashamed;* 2 *Tim.* 4. 2. 5. By the which (wee say) and other the like, this case is so cleare, wee need not enlarge it.

An Addition to the third word.

Till which time, places that want, to bee supplied by weekely exercises, and how.

VNto the foresaid third worde, wee adde thus much more: *That if sufficient Preachers cannot bee procured for all such places as want fatherfull preaching, our charitable opinion is, the faithfull Ministers in such hundred will undertake a weekely exercise in such place; one weeke in one Towne, another in another; and so round, till settled powerfull Pastors can be procured. This they will doubtlesse readily performe, expecting no reward from men where the Churches revenues are so slender that nothing can be allowed. Provided that in other places they may have moderate allowance for their pains where the means are sufficient.*

Though

Though wee offer this in their name, and nothing doubt of the performance in this case of so great necessity; yet wee are not of the mind some young Divines are in, that thinke themselves like the Palme-tree and Camomile, to grow the better for being burthened and presled downe, undertaking an heavy burthen in their youth, thinking to profit and grow better by it. Such too often sow the wind and reape the whirlewind, *Ier.* 48. 10. Their greene wood rather smothers away in smoke, then burneth and casteth out heate, as an *Ardens lucerna* should. *An Apology for the tender.* *Similie.*

Rather with *Chrysostome*, wee call the Ministers charge, *Onus Angelicis humeris formidandum*. *Moses* was fearefull herein, and thrice refused, excusing himselfe till God was angry. *Ezechiel* was unwilling, though God laboured to confirme him. *Ionah* directly turned his back and fled another way. *Ammonius*, a Monke, being called to bee a Bishop, fled away from taking the office, and cut off his right eare, that being maimed hee might bee uncapable of the place. *Evagrius* likewise fled away when they would have made him Bishop, but did not mutilate himselfe.

These examples and instances wee forget not, while wee make this tender; yet while wee remember, *Nihil est difficilius*; wee also consider, *Apud Deum nihil frustra*; and the one to ballanceth the other, that the laboriousnesse thereof danteth us not a whit, (waighing from whom and to what end it is,) but rather in that resp. & to embrace the paines if it bee imposed.

What though this charge challenge to it selfe all our strength, wee are lessoned by *Augustine*, *Ingenium, prudentia, eloquentia, sunt dona Dei. & cui melius serviant quam ei quo donantur, ut iuste custodiantur, unicuique persolvant*.

Wee acknowledge many more worthy to bee taken into this imployment then our selves, in the City, and Universities, that might doe the Country good service. And our inability makes us not grutch other's ability, but rather with with *Moses*, that all the Lords people might likewise prophesie, wee should rejoyce with that worthy *Eudemonian*

demonian when hee was not choſen one of the 30. Senatours, the Common-wealth having ſo many better than himſelfe. Yet our reſolution is this, that if any part of ſuch imployment bee impoſed on us, where the Inſtrument is dull and blunt, wee would put to the more ſtrength, and adde the more prayers and paines to our ſtudies and endeavours.

If herein wee bee preſumptuous, if bould, if undiſcret, if fooliſh; for the ſake of poore Countrey ſoules wee are ſo. It is for forlorne ones amongſt us, 1000. times to be pitied, that wee are thus preſumptuous, bould, undiſcret, and fooliſh, even for them and their good, and wee truſt our paines would find grace in their ſight, ſeeing for them they are undertaken, and the benefit thereof (if it bee any) muſt bee theirs.

The ſetling of the foreſaid courſe in a way tending to introduce the Primitive Government.

4. The ſetling of this courſe.

FOr the ſetling of this courſe our humble opinion is, *A certaine number of conſcionable, honeſt, painefull Preachers in every hundred, ſhould now at the entrance on the courſe bee nominated and appointed by the honourable Parliament, and they ſhould engage themſelves to uphold the ſame weekely exerciſe while life and ability laſteth, if occaſion ſo require; and to renew the firſt number when there is any defect by death, removeall, diſability, or any other way: and ſo to continue till each place bee ſufficiently provided for. Ingaging whom they receive as ſtrongly, as themſelves were at the firſt entrance of the courſe of the honourable Parliament.* For it is the property of good Miniſters to labour and take care for good ſucceſſours, as *Moſes* doth in *Num* 27. 15. 16. though for the peoples ſake, God was angry with him, and would not let him goe into the good land, *Deut.* 4. 21. Yet ſuch was *Moſes* his love and care for them and their welfare, that hee procureth what in him lieth their good after his deceaſe, and a faithfull Governour to bee ſet over them of God, which is a

Parliament to appoint faithfull Preachers.

great

great blessing unto a land or people, *Eccles.* 10. 17.

Touching the mentioned number, It hath beene Gods manner to joyne tribes together; and disciples together for their mutuall help of each other, as *Iudah*, *Issachar*, and *Zabulon* in one Campe. *Reuben*, *Simeon*, and *Gad* in another. *Ephraim Manasses*, and *Benjamin*, in another. *Dan*, *Aser*, and *Naphtali*, in another Campe by themselves, *Num.* 2. And afterwards when the number of Priests were increased, they were divided into courses. So our Saviour also ordained amongst his Disciples a kind of combination and fraternity, as is to bee seene by the reherfall of their names; *Matth.* 10. 2. 3. 4. First *Simon Peter*, and *Andrew* his brother: Secondly, *Iames* (or *Iacob*) the Sonne of *Zebedee*, and *Iohn* his brother: Thirdly, *Philip*, and *Bartolomew*: Fourthly, *Thomas*, and *Matthew* the Publicane: Fifthly, *Iames* the Sonne of *Alpheus* and *Lebbeus*, or *Iudas* his brother, (*Luk.* 6. 16. *Ind. vers.* 1.) Sixthly, *Simon* the *Canaanite* (or the *Zealous*) and *Iudas Iscariot*. And these did CHRIST send forth thus by two and two, *Mark.* 6. 7. *To warre the warfare of the Gospell*, as it is called in 1 *Tim.* 1. 18. And when *Iscariot* lost his office, *Matthias* was chosen in his place, *Act.* 1. 26. Afterwards there were added *Paul* and *Barnabas*, *Act.* 13. 2.

These Ministers wee speake off, must bee such as deserve well, even of ingratefull times they live in, though men bee as unthankefull as they will, they must not looke to them, but to the honour of God, the credit of Religion, the maintenance of the truth. For let men bee as they will, base and wicked, enemies to grace and goodnesse, what wee doe, wee doe it not to men but to God. And when men thus minded, are joyned thus together, they are more likely to prevaile. Forces united are the stronger.

But who must bee these honest, painefull, conscionable Preachers, that would doe thus, and might bee trusted thus? where shall wee find them? such are rare to bee had, and if there bee such. Yet how shall wee come to the knowledge of them, that wee may nominate and employ them

Quest. But who must they be?

them in ſuch a worke of this ſo waighty a nature?

Anſw. A notable way to find ſuch.

A neceſſary queſtion indeed, there being much diſſimulation in the World. Gold may bee counterfeited. Any mans writing or ſeale, even the Broad-ſeale of *England* may bee counterfeited, yea grace it ſelfe may, and is moſt commonly counterfeited of any thing elſe.

A memorable diſcovery. *Euſeb. lib. 1 de vita Conſtant. cap. 11.*

For the prevention whereof, a moſt memorable and remarkeable fact of *Conſtantius Chlorus*, Father to *Conſtantine* is related in *Euſeb. l.* 1. of the life of *Conſtantine* and Chapt. 11. Hee being about to make triall of the conſtancy of his Courtiers and attendants about him, whether they were ſound and conſtant in the Chriſtian faith, hee makes a ſhew that hee would give them leave and full liberty to ſacrifice unto Idols, and that they ſhould not bee puniſhed for it. Nay, except they did ſo, hee would baniſh them out of his Court. But when many amongſt them for feare of looſing their honour and dignity, did rather forſake God, then that they ſhould bee taken offending the Emperour, then did *Conſtantius Chlorus* diſcover his plot which before hee had concealed, and falleth upon them with grievous chidings for forſaking of God, accounting them unworthy of his ſervice, commands them to depart out of his Court, with great vehemency uttereth theſe words, *Quomodo fidem Imperatori præſtabunt inviolatam, qui Deo ſunt perfidi?* How will they bee true to the Emperour, that are falſe to God? But as for thoſe, whom hee found conſtant in the Chriſtian faith, hee kept with him, obliged them to him by beſtowing on them great honours and preferrements, ſaying, Hee more eſteemed of them to bee with him in his houſe, then to have his houſe ſtuffed full with the rareſt treaſure.

Such a courſe as this (though excellent then) needs not now bee taken. Such *Engliſh* Preachers as lately have diſcovered themſelves upon a leſſe triall, haſtily uſhering in Altars, *Genuflections*, and other like ſuperſtitious vanities, the lazy Loyterers, corrupt Worſhippers, falſe in Doctrine, looſe in practiſe, groſſe temporizers expoſe themſelves to

ſome

ſome cenſure. Such on the other ſide as have continued conſtant, beene painefull in Preaching Gods owne word twice weekely, have lived accordingly, and hazarded themſelves in ſtanding out againſt all ſuch vaine ſuperſtitious innovations, need no further triall by the charitable.

So that though Miniſters ſhould bee looked out and preſented by the people, as *Moſes* ſaith, *Deut.* 1. 13. *Take for you wiſe men, and underſtanding, and knowne among your tribes, and I will appoint them to bee your head.* And though alſo in the primitive times Miniſters were looked out and preſented by the people, *Act.* 1. 15. 23. and 6. 3. 5. 6. *&c.* And all the Congregation aſſembled at the conſecration of *Levits*, as a mitt r concerning them to know and approve off, *Num* 8. 9. 10. For the *Levits* were taken in ſtead of their firſt borne, *Verſe* 18. 19. And all the Congregation alſo aſſembled at the conſecration of the Prieſts, *Lev.* 8. 3. 4. And the Sonnes of *Iſrael*, that is, ſome of the chiefe of them, (as the firſt borne) in the name of the reſt, did lay or impoſe hands on the *Levits*, which rite was kept at the ordination of Officers, as in the old Teſtament, ſo in the New, *Act.* 6. 6 and 13. 3. and it fitted the preſent buſineſſe. For the *Levits* being taken to ſerve the ſervice of the Sons of *Iſrael* inſtead of their firſt borne, and to make atonement for them, *Num.* 8. 19. by offering for them, *Verſe* 11. By this ſigne, they put this charge and ſervice of the Church upon them, and ſo conſecrated them to God in their name. Hereby they figured the Church of CHRIST, called the generall aſſembly, and Church of the firſt borne, which are written in Heaven, *Heb.* 12. 23. Yet in this caſe, no further looking, nor any new ordination, is neceſſary, but onely to looke to their former conſtant conſcionable lives and labours.

The proceedings of the courſe.

THat Reformation may make an happy progreſſion, (deſiring not to bee miſtaken,) our further ſubmiſſive opinion

5. *The Progreſſe in Reformation.*

opinion is; For the preſent Parliament to nominate, appoint and ſet out certaine Lay-elders, which are to bee three or foure of the graveſt, godlieſt, honeſteſt men, and of the beſt judgement in every Pariſh and Chappelry, to aſſiſt the ſaid Miniſters, and by the authority of the Parliament, theſe Paſtours and their Aſſiſtants (being teaching and Lay-elders) to have ſome limited power for the ordering, guiding and managing the Eccleſiaſticall buſineſſe in their owne ſeverall Pariſhes and Chappelries. And alſo that the whole company of theſe Paſtours and Elders have power within their owne hundred to decide, compoſe, and order whatſoever cannot bee decided, compoſed, and ordered in any particular Pariſh or Chappelry by the Paſtour and Lay-elders there. And this to bee done at their meetings for their weekely exerciſes mentioned before. And the happy trienniall Parliament to decide ſuch grander differences as cannot bee decided in particular Pariſhes, nor by the whole hundred.

Lay-elders to bee appointed.

Differences to bee compoſed, how?

Power of teaching and Lay-elders.

The power to bee committed to theſe conſiſteth in theſe particulars.

1. *To ſee, every place have ſufficient preaching as ſoone as may bee.*

TO overſee, that every Church and Chappell within their hundred bee (as neere as may bee) furniſhed with a ſufficient Miniſtry, and that the ſame goe fairely on in an orderly way for edification.

But for as much as wee feare each place cannot on the ſudden bee furniſhed with ſufficient preaching, therefore till that can bee effected, (for which wee pray) the ſaid approved Miniſters, or the major part of them ſhould have power to chuſe the places within their owne hundred for the ſaid weekely exerciſes, and appoint Preachers out of themſelves for the ſame.

Weekely exerciſes in the interim,

Yet as ſoone as God pleaſeth to ſend forth any ſufficient labourers into his Vineyard, the ſame ſhall joyfully bee admitted to ſome particular Church or Chappell which is in want. And though the Patron doe preſent or commend a Clarke to a Congregation, yet as neere as may bee there ought

ought to bee an ingenuous and free consent of that Congregation, to which hee is to preach before hee bee installed. Not bought and sould. *Nec precæ, nec pretio*; much lesse should their consent bee forced or extorted.

Our arguments for the Congregation to chuse their Minister are: People to chuse their Minister.

First, Because in the Apostles times, the Congregation did chuse their Minister, the Apostles themselves not preferring any by their authority, but alwayes with the consent and approvement of the Church, *Act.* 6. 2. and 14. 23. 24.

Secondly, Hereby the Church shall preserve her liberty which Christ gave her: for no Pastour nor Minister of God, was to bee thrust by Christs order on the Church against their will.

Thirdly, By this meanes, the Minister may with a good conscience, exercise his talent towards the Lords flock that have chosen him, and bee encouraged thereto; and on the other side, the people may more easily submit themselves to him and his instructions.

But now in case the people doe not know who are fit Ministers for them, and cannot judge thereof, then the foresaid approved Ministers should seeke out Preachers for them, or at least judge (when they are brought to them) of their fitnesse for the Ministry in generall, and for that Congregation in particular. Assisters therein.

This businesse, the Civill Magistrate hath committed to the Ministers of the Church. As did that godly Emperour *Valentinianus*, of whom *Theodoritus* maketh mention in his fourth Booke of Ecclesiasticall history, the fift and sixt Chapters. Though the Ministers put it to him freely to make his choyce, yet hee would not accept of that liberty and power, but left it to those, to whom it is due by Divine institution, *Tit.* 1. 5. *For this cause*, Paul *left* Titus *in Creete to set in order things that were wanting, and to ordaine Elders in every City, as I had appointed him.* That is, to assist others in the election of their Ministers, and moderate the *Valentinians* example.

businesse if need bee, as *Calvin* expounds it. And a strict observation hereof continued in the Primitive Church under Christian Kings and Emperours. In so much, that hee was not acknowledged for a lawfull Pastour of the Church, which was intruded on the Church by the command of a great man, as most *Orthodox* Authours shew.

Not buy, Neither are any to buy this preferrement with money, nor make any forceable entrance, *Act.* 8. 18. 19. 20. 21. No, nor any other way to seeke this for the preferment sake, for that is not *Pauls* meaning in 1 *Tim.* 3. 1. *If any desire the office of a Bishop, hee desireth a good worke.* Hee neither commands, nor exhorts any to desire this office, but sheweth, it is an hard businesse: a worke, not a play: a care, not riotousnesse: not free from censure: a Fatherly office, not a tyrannicall liberty. And this hee saith to reprove such as gape after the office; and yet consider it not, neither are any way fitted for it.

Nor seeke preferment.

Here might bee shewed what ones are to bee chosen: what the manner of chusing them is: and how the ordination is to bee performed, but then wee should bee tedious. And as the said approved Ministers (that have carried themselves as aforesaid, though they little thought to have seene these dayes,) together with their choyce assistants, are thus to chuse; so also, according to their Commission from the Honourable Parliament, to refuse and remove such as are crept in by craft, or broken in by force; for that they entred not into the sheepfold by the doore, but climbed in, some other way, and so are Theeves and Robbers, not to bee suffered no more in Church then in Common-wealth, *Joh.* 10. 1.

Refuse the unworthy.

2. Sufficient maintenance setne unto.

As the said Ministers with their assistants, should oversee the Churches and Chappels, that they bee thus furnished with a sufficient Ministry, having removed such, as hindred out of the way by the authority aforesaid; so also should they overlee, that every Church and Chappell have sufficient and fitting maintenance. And that according to the order the present Parliament shall please to establish, that

so they may not bee defrauded by the subtilty of any, nor oppressed by the greatnesse of others.

That these teaching and Lay-elders (being both set out by the present Parliament as was said for the businesse) have also the oversight of the execution of Discipline, for the suppression of insufferable evils, &c. 3. To oversee Discipline.

The maine occasion wherefore wee move this, is the many most notorious abuses of our present Spirituall Courts, (falsely so called;) Some whereof have bin grosse, even since the Parliament beganne to sit, as if on purpose they would improve their present oportunity while it lasted. Occasion.

The lawfull Pastours of the Church, or rather the whole Church, (the which these teaching and Lay-elders represent) have power to promulgate the word of God, and to constitute somewhat in externall matters, or about in different rites: As also to restraine manifest offenders by Ecclesiasticall Discipline, either by excommunicating them, or by suspending them from the Lords supper. And this power CHRIST hath given to the Church, though no power to bind the consciences of men with any new law necessarily belonging to faith and manners, neither have they any power to compell any but as is said. Churches power.

The office of a Minister consists as in the dispensation of the misteryes of God, as was said, so also in the administration of Discipline, which is a certaine power given and granted of God to his Church, to direct, lead, and bring men to piety that are entred into CHRISTS flock, least they should either in Doctrine, or in conversation, commit any thing unbeseeming their Christian profession, to the scandall of it. Hereby offenders are reproved, rebuked, chidden and corrected, that they may returne into the right way, and every one performe his office according as God hath prescribed him. Ministers office.

There is a marvelous great necessity of Discipline amongst us. It being no little dishonour to God, that the wicked, impudent, blasphemous wretches, should runne Necessity of Discipline.

on without just punishment, as if betweene them and the freeborne dutifull Sonnes of God, there were no difference, and that his Kingdome with the Kingdome of Sathan should bee so sowly mixed and confused. The Church by conniving at the wicked and impenitent, and not correcting them publikely and privately, not punishing them with the sword of the Spirit, doth make herselfe guilty before God of their damnation and destruction. By the liberty that hitherto hath beene to goe on in wickednesse, the Kingdome of CHRIST is filled full of scandals, and the weake (whose number in the Church is great) being corrupted with the examples of the wicked, will bee seduced; much rather, therefore should such as are without the pale of CHRIST bee drawne into Gods sheepefold, that they which speake against us as evill doers, may see our good workes and godly conversation amongst them, and glorifie God; 1 *Pet.* 2. 12. These should rather thus bee brought in, then that the sheepe of CHRIST which are already in his flock should bee offended and perverted by such fowle scandals raigning so rife, and yet suffered and winked at. *A little leaven leavens the whole lump*; 1 *Cor.* 5. 6. *Gal.* 5. 9. *Evill words corrupt good manners*, 1 *Cor.* 15. 33. And one infected sheepe infects the whole flock.

Power of the keyes.

This Discipline, or rather the administration of it, is called the power of the keyes by CHRIST himselfe, in *Matth.* 16. 19. and 18. 18. *Joh.* 20. 23. And as the keyes of Cities and Houses are necessary to bee delivered to the Rulers of the City and Masters of the Family: So CHRIST himselfe hath committed the administration and government of his Kingdome to his Church, (which is *the house of the living* God, 1 *Tim.* 3. 15.) Giving his Ministers certaine lawes, hee trusts them with the managing of his matters according thereunto. Hence it is that *Paul* saith, in 1 *Cor.* 4. 1. *Let a man so account of us, as of the Ministers of* CHRIST, *and Stewards* (or Dispensers) *of the Mysteries of* CHRIST.

Why so called?

As with a little helpe of the Key of the gates and doores

of

of Cities and Houſes, are opened and ſhut, and men are either ſhut forth or received in: So CHRIST by the right adminiſtration of this Diſcipline will have declared to impenitent perſons, their ſhuting out of his heavenly Kingdome, and to the penitent, that they ſhall bee received in. This ſhall bee effectuall, for both the parts of this adminiſtration, God himſelfe confirmeth in Heaven.

As no City, nor Houſe can ſtand and floriſh without the ſtrength and ſtay of Diſcipline, of order, law and puniſhment: So if Chriſts Kingdome here on earth, if his Church, doe want this ſpeciall Government, it will runne into erroneous Doctrine and impious wickedneſſe, and ſo undoe it ſelfe, and yet never bee admoniſhed, reproved, blamed, that it might bee regained; whereas, if ſuch as ſhew themſelves ſtubburne, and will bee reclaimed and brought into the right path by no gentler way, bee ſeverely puniſhed for their offences and grievous ſcandals, this will make much for the glory of God, and good of the Church. The corruption of our nature is great, the infirmity of Saints not ſmale, this Diſcipline is a wholeſome remedy, whereby the whole body of the Church, and every member thereof is ſo reſtrained and kept in, that we ſhall not be indulgent to our ſelves in that wch is evill, but kept cloſe to our duty in our right paths by this bridle, when the bond of love and liberty will not doe it. So that to the preſervation of the Church Diſcipline, is the ſame, that the ſinewes are to the joynts of a mans body. Theſe things being ſo, God even from the beginning, would that great reſpect bee had to this ordinance in his Kingdome. And it much beloveth ſuch to whom it is committed to bee moſt diligent obſervers and executioners of it. Alſo how wiſe, how circumſpect, how moderate, all ſuch ſhould be, which execute this Diſcipline; the holy Apoſtle ſhewes, in 1 *Tim.* 5. 1. 2. *Rebuke not an Elder, but intreat him as a Father, and the younger men as Brethren, the elder women as Mothers, the younger as Sisters with all purity.*

Though it cannot bee denied, but Miniſters have ſome

Against Pastours having temporall jurisdiction.

some secular dignity, as to administer the temporall goods anciently given to the Church, and sometimes to bee made use of for their counsell in waighty matters, as in electing Officers, making lawes, &c. Yet by no meanes to have both temporall and spirituall jurisdiction ordinarily and immediatly, they must lay aside all the temporall jurisdiction, and mainely take up their employment in their office of teaching and governing the Church.

The Reasons are these.

1. CHRIST himselfe neither had, neither would have any temporall Jurisdiction, or secular Government; *Luk.* 12. *Ioh* 6. and 18. His Messengers therefore, ought neither to have, nor affect any.

2. This CHRIST forbids his Apostles, and so all other Ministers absolutely, that they should not affect bearing rule in this World, nor exercise Lordship as the Princes of this World doe, *Matth.* 20. *Luk.* 22. *ergo*,

3. The Apostles would not take care of tables, being a matter nothing agreeing to their Apostolicall function, but committed this care to the Deacons, *Act.* 6. 1 *Tim.* 3. and 5. Therefore much lesse the waighty businesse of this World.

4. Such is the dignity and gravity of the Pastours office, that they may, and ought, bee content with it alone. This requireth the whole man to performe it aright, and fulfill all the parts of it, as appeareth both by the thing it selfe, and also by the word of God; 2 *Cor.* 2. and 5. Farre bee it therefore from them on their owne accord to bring upon themselves other employments, to entangle themselves in the businesse of this life, contrary to that of the Apostle, 2 *Tim.* 2. *No man goeth to warre and intangleth himselfe with the businesse of this life, &c.* Of necessity therefore, they must cast off, either the temporall, or else the spirituall jurisdiction.

5. The ancient Fathers of the Church, have neither usurped

uſurped both temporall and ſpirituall juriſdiction themſelvs, nor ever did approve of thoſe that laboured for it; nay, they have openly condemned this uſurpation. This is to bee ſeene in many; in *Auguſtine* by name, in many of his Epiſtles. Alſo in *Greg. M. l. 4. Ep. 44.* And *Bernard l. 2. De conſid. ad Eugenium.* Therefore Paſtours now are not to thinke of having temporall and ſpirituall authority, ordinarily, and immediately, but labour to diſcharge the one.

In the old Teſtament, the very ſame men were both Prieſts and Kings, Judges and Princes, as *Melchiſedech, Gen.* 14. alſo *Noah, Gen* 6. and *Abraham, Gen* 14 and *Moſes, Exod.* 18. and 40. Likewiſe *Eli* and *Samuel*, 1 *Sam.* 2. and 4. Therefore the like may now profitably be? 1. *Object.*

This was proper to the old Teſtament, and extraordinary, and is fulfilled in CHRIST alone, who is both King, and Prieſt, and Prophet for us; and ſo is not to bee drawne to ordinary Miniſters of the new Teſtament. *Anſw.*

Temporall and Spirituall juriſdictions are not contrary, but ſubordinate onely, or ſubalternate, and therefore may bee exerciſed by the ſame men: nothing hinders, but the ſame man at one time may bee qualified for diverſe offices, as a Counſellour and a Magiſtrate? 2. *Object.*

Here is a double fallacy, partly *ac identis*, partly *ſecundum quid* For though theſe two powers doe not ſimply, and in reſpect of ſome men croſſe each other: yet if you conſider the ordinary law of God, and the proper ſtate of the new Teſtament, and the waightineſſe of either of theſe offices, and laſtly, the manifold infirmities of men; Certainely you may ſee they are not onely different, but in ſome meaſure croſſe and contrary one to the other, ſo that they cannot bee undertaken and executed by one and the ſame man, but with many cautions uſed. Thus for the power to bee committed to theſe Elders, and the limitation thereof. *Anſw.*

But if this repreſentative Church muſt have the power of theſe particulars, what ſhall become of the Lord Biſhops that hitherto have raigned and ruled in the Church of *England*? *Queſt.*

Theſe

Anſw. Theſe might have beene forgotten, being not in our bookes. The queſtion wee can ſcarce anſwer unto, no ſuch being found in the Scriptures, as doth and will preſently appeare. Yet *Rebus ſic ſtantibus*; our humble motion is, that ſuch of them as bee found faithfull, together with ſome other ancient learned Divines that have ſtudied long, bee employed onely in the exerciſe of their Doctorſhippe, or gift of teaching, as Divinity Lecturers. Of theſe, there ſhould bee in every hundred one, and hee to bee ſeated in ſuch a Pariſh, where is the largeſt maintenance, which may bee competent both for the Paſtour that preacheth to that Congregation there, and alſo for the Teacher. This Teacher ſhould bee employed onely in teaching the Paſtours of that hundred at monethly exerciſes for that purpoſe; unto which the foreſaid weekely exerciſe, ſhould give place, and ceaſe for that weeke monethly. This wee adde, leaſt wee ſhould leave out any order of Miniſters appointed by CHRIST at the firſt, to remaine for ever. For ſuch as theſe, were ſet out in the primitive times, whoſe office then was to teach the Paſtours by interpreting to them the Scriptures, laying out the ſenſe and Doctrine ſoundly, and confuting errours, &c. The which is moſt neceſſary amongſt us, Ieſuites, and Popiſh Champions, in livery Habit as ſerving men, ſometimes almoſt gravelling us with ſome ſtudied diſcourſe, wherein they to our reproach find us ſhallow, through want of this helpe.

Divinity Lectures monethly in eachhundred, and how.

This order of Miniſters, were at the firſt called Doctours, or Teachers, as after is to bee ſeene. And a particular hundred, ſeemeth ſomewhat neerely to reſemble the primitive Congregations, called *Eccleſiæ*. Of theſe Teachers, wee have indeed a commendable practiſe already in our Vniverſity Profeſſours, which read Divinity Lectures in the Schooles. The like whereto wee deſire, may bee as is ſaid in each hundred in the Countrey. Both which ſhould bee *Seminaria Paſtorum*; As *Calvin* ſpeakes, Nurceries, eſpecially to young Divines after they have ſet upon the ſtudy of Divinity, and entred into the Miniſtry; the neceſſity of the

Vniverſity practiſe.

Countrey

Countrey often calling them to leave the Vniversity, before they ever come to attend much to the Divinity Lectures, read by the Professours in Schooles there. See *Wilson* on *Rom.* 12. *Dial.* 5. *pag.* 537.

These being exempted both from teaching and ruling, only exercised monethly as is said in teaching, might also be fit to advise and give counsell to the younger sort, being now in their old age, and having now seene these dayes which they did not wot off; it adds something to their experience. Thus the *Levits* in their old age, even after they came to bee fifty yeares old, left off the harder service, but still had charge, *Num.* 4. 3. As Ministers at the first ordination, should not enter till they bee furnished with qualifications for so great a worke, so should they continue no longer charged with the full waight of the burthen of their function, then they are fit and able to undergoe it, but rather bee exempted therefrom unto more easie service, *Num.* 8. 25 26.

As for Lord Diocesan Bishops, wee know no such distinction, nor the primitive Churches. There is mention indeed of Bishops, but not differencing them from Pastours; For Bishops signifie Pastours, Teachers, Elders, even, whosoever had in the primitive Church any Ecclesiasticall power, either for Doctrine, or Regiment of the Church, *Phil.* 1. 1. *To the Bishops and Deacons at Philippi*, whereby wee see, that this name Bishop is Common to all the Ministers, (or Officers) of the Church, seeing *Paul* attributeth many Bishops to one Church. No Diocesan Bishops.

A Bishop and Pastour are *Synonima*. The Scripture confounds these termes promiscuously, *Bishops*, *Presbiters*, *Pastours*, and *Ministers*. Whosoever had the office of a Minister, had the name of a Bishop. *Paul* requireth *Titus* to make *Presbiters* in every City, *Tit.* 1. 5. and presently hee addes *Verse* 7. *That a Bishop must bee without reproofe*. And in *Act.* 20. 17. Hee calleth those Presbiters of *Ephesus*, which afterward hee calleth Bishops, *Calv. Instit. lib.* 4. 3. 8. *Synonima.*

But now there is a wide difference betweene our Biſhops and Paſtours of particular Congregations, for they have a different calling with us in *England*. The booke of ordination of Biſhops, Prieſts, and Deacons ſhew, they have a different ordination, therefore muſt needs differ in themſelves, according as the Apoſtle argueth, *Hebr.* 7. 16. 17. 21. That the Prieſthood of CHRIST was diverſe from the *Leviticall* Prieſthood, becauſe the manner of ordaining each was diverſe, the one being without an oath and for a time, the other being with an oath and for ever.

The Biſhops or Paſtours of the Church, and the diverſe orders of them, are frequently ſet downe in the word of God, yet no ſigne of any ſuch Lord Biſhops. See 1 *Cor.* 12. throughout the whole Chapter, where all the orders are largely laid downe. Yea of the ordinary Miniſters its plainely affirmed, that in reſpect of their office, they are all equall; neither ought they to exerciſe any abſolute power in the Church, but onely that which is meerely miniſteriall. See 1 *Cor.* 3. and 4. alſo 2 *Cor.* 1. and 3. and 4. *Epheſ.* 4. 11. and often elſe where.

In the Apoſtles times, there was no ſigne of ſuch, but rather, the contrary; for as much as the grand controverſies of Religion, and other Eccleſiaſticall matters were determined by the Common vote of the Apoſtles together with the conſent of the people, *Act.* 1. 6. and 11. 14. But eſpecially the 15. *Chapter* wholy. Therefore much leſſe, now the Apoſtles are dead, and the whole affaires fall to ordinary men.

Such a Lordly authority is not onely unprofitable, but dangerous and hurtfull in as much, as it is ſo apt to degenerate into tyranny, eſpecially in ſuch infirme men, through pride, ambition and other wickednesſe, as evident experience hath hitherto ſhewed amongſt the Papiſts, and too much amongſt our ſelves. By ſundry hiſtories and ancient writings it doth appeare that in the beginning of *Conſtantine* the great, there was much ſtirre about preheminence, and in the *Nicen* Counſell, certaine Patriarkes

The beginning of the *Romane* primacy.

were

were appointed, and amongst them, the *Romane* Patriarkes was preferred in some sort above the rest, because of the dignity of the City of *Rome* whence hee came.

It fell out in processe, of time that the *Roman* Bishop increasing dayly in ambition and wealth, first under the Emperour *Phoca*, about the yeare of CHRIST, 600. then under *Pipin* and *Charles* the great, about the yeare 800. And so afterwards likewise, they did more and more lift up themselves, that at the length, they usurped an absolute Monarchy in the Church. See by name, the *Sixt Canon of the Nicen counsell.* And have not some of our Lord Bishops made faire offers to follow the *Romane* Bishop in a like way?

Conr. Vorst. anti. Bellar. Tom. 1. Thes. 4. de Rom. Pont.

4. To oversee Deacons.

That these foresaid Teaching (or rather Preaching) and Lay-elders have the oversight of such Deacons or Deaconesses, as the present Parliament shall please also to set forth and appoint, for the releeving of the poore in such sort as your Honours shall prescribe.

Neglected much.

This is so marvelously neglected as that our Church is blemished by it. Wee cannot expect God should pitty us in our misery, wee so little pittying the poore in their necessity. It reflects upon the whole body, thus to neglect the poore members.

Our humble suite therefore, in behalfe of these is, *That there may bee some Persons in each Parish charged with the collecting for, and distributing to the poore members of* Christ *amongst us. And that the said Ministers and Lay-elders see, that these Deacons discharge their office with simplicity*, willingly doing service to the poorest and meanest.

Fit Persons may bee looked out for this purpose by the Elders, not further troubling your Honours with every trifle, *Act. 6. 3. Rom. 12. 8.*

For the choyce of these, the Apostle giveth direction, in 1 *Tim.* 3. 8. 9. 10. when hee saith, *Deacons must bee grave, not double tongued, not given to much wine, not greedy of filthy lucre, holding the mistery of faith in a pure conscience. These must first bee proved, and then use the office of Dea-*

con if they bee found blameleſſe by this repreſentative Church.

Deaconeſſes. In the primitive times, there were alſo Deaconeſſes, which were godly ancient widdowes, which attended on the poore, and ſick, and afflicted members of CHRIST, *Act.* 6 1. *Rom.* 16. 1. 1 *Tim.* 5. 9. where alſo are directions for ſuch.

But thus much for the power to bee committed to theſe approved Presbyters in theſe foure particulars.

3. *The confirmation, and modeſt juſtification of the foreſaid*

The modeſt confirmation of the courſe. *courſe, and the ſetling thereof, in manner aforeſaid, by arguments (beſides what is intermixed already in the deſcription of it) taken from the nature of the Government of* CHRISTS *Church, from examined Scriptures, from the primitive practiſe, from reaſon and teſtimonies of the ancient and moſt Orthodox Writers that are extant.*

1. Such is the nature of the Government of the militant

From the nature of the Government. *Monarchicall.* Church, that First, In reſpect of CHRIST. it is a *Monarchy*, though in no other regard whatſoever, neither of Pope nor any other. And ſo this courſe declareth it, giving no authority at all to the Church over the conſcience to ordaine any new law for faith or manners; but onely ſee to the execution of what CHRIST. himſelfe hath given forth already as head, this repreſentative Church being onely the Overſeers under him; *Act.* 20. 28.

Secondly, In reſpect of the chiefe Magiſtrate, the triennial Parliament, and the foreſaid teaching, and Lay-elders,

Ariſtocraticall. *Democraticall.* it is (as commonly it hath beene) partly *Ariſtocraticall*, partly *Democraticall. Cour. Vorſt. anti-Bellar. Tom.* 1. *Theſ.* 1. *de Rom. Pon. pag.* 57. So that herein our ſubmiſſive opinion agreeth with the nature of the Government of CHRISTS Church here on earth.

2. The Scriptures wherein this ſubject is diſcourſed off,

From Scriptures. which ſhew the primitive practiſe, and are now to bee examined, whether they bee for our purpoſe or no, bee mainely theſe that follow briefely, being many.

1. *Act.* 6. Some widdowes were neglected in the dayly miniſtring; then the 12. Apoſtles called the multitude of

Diſci-

Disciples together, and told them, it was not fit they should leave the word of God and serve Tables, that is, to make provision for the maintenanne of the poore, for as much, as they were not able to satisfie both offices; therefore they looked out certaine men of honest report, which they appointed over the businesse, that they might give themselves continually to prayer, and the ministration of the word. This pleased the whole multitude well, and they did so.

2. *Act.* 13. 1. There were in the Church at *Antioch*, certaine *Prophets* and *Teachers*. How Prophets and Teachers differ, shall bee shewed after from other places. In this place, they are *Synonima*. Prophets here are not such, as had the rare gift of foretelling, but they were famous Inpreters of the Scriptures of the Prophets. And they were exercised in teaching and exhorting, as *Paul* sheweth, in 1 *Cor.* 14. *Calvins Com.* on this place.

3. *Act.* 14. 23. *Paul* and *Barnabas* appoint Ministers, but how? why, they ordained them Elders by election in every Church. The word χειροτονήσαντες, signifieth, to elect by putting up the hands; which declareth, that Ministers were not made without consent of the people. As before in *Chap.* 13. 1. 3. 4. where though there is no mention made of the Chnrches election, yet that was, because the vocation was wholy of God, and so the Church was to receive *Paul* and *Barnabas*, that were offered by Gods owne hand. In this 14. *Chap.* though *Paul* and *Barnabas* bee said to ordaine the Elders, yet they doe it not onely of themselves, but by the election of all, for in creating Pastours the people had a free choyce, yet least any thing should bee done tumultuously, *Paul* and *Barnabas* were over the rest as Moderatours, *Cal.* χειροτονῆν.

4. *Rom.* 12. 6. 7. 8. Seeing then that we have gifts that are diverse, &c. *Paul* teaches, that no brotherly helpe bee withheld from one another, for such assisting each other is the bond of mutuall communion. Herein consists the society of the godly, that one impart his gifts to another, and suffer himselfe to bee helped by the ability of others. Yet

every one muſt keepe his owne order, wherein God hath ſet him, and not hinder others, for ſuch as pervert Gods order withſtand God himſelfe who is the God of order. This hee ſheweth by the compariſon of a naturall body where every member keepeth its owne office, and not invades the roome and office of others.

Two gifts. The gifts hee here ſheweth are two in generall, Prophecy and Miniſtry.

1 Propheſie what? Firſt, *Propheſie:* Hereby hee meaneth the right underſtanding of the Scripture, and the faculty of explaining the Prophets and the Miſteries of CHRIST in the Goſpell. For in this ſenſe *Paul* ſpeakes, when hee ſaith in 1 *Cor.* 14. 5. *I would that yee all ſpeake with tongues, but rather that yee Propheſie.* And in 1 *Cor.* 13. 9. *Wee know in part and Propheſie in part.* Hereby meaning, chiefely the ordinary teaching which was to continue. For this muſt bee *according to the proportion of faith,* that is, according to the firſt rules of Religion gathered, (as it is thought) by the Apoſtles out of the Scriptures, *Cal.* 2.

Whereto belongeth, 1. Teaching. 2. Exhortation. Vnto this Propheſying, here bee two offices belonging: Firſt, Teaching, which is the office of the Doctour. Secondly, Exhortation, which is the office of Paſtours. For theſe two offices wee confeſſe, are divided (though ſometimes their gifts may and doe meet in one, *Epheſ.* 4. 11.) and have their ſeverall gifts. One hath the gift of knowledge, the other of wiſedome, 1 *Cor.* 12. 8. And ſeverall operations or workes, for the one doth teach and interpret the Scripture, lay out the ſenſe and doctrine ſoundly, confuting errour, which is the Doctours part. The practiſe whereof, as was ſaid, is commendable in our Vniverſity. Profeſſours which read Divinity Lectures in the Schooles; and wee wiſh the like were in our ſeverall hundreds in manner aforeſaid, and for the reaſons aforeſaid, this order being in the beſt and firſt Churches. If wee ſhould wiſh every Pariſh had ſuch, wee had no hopes to prevaile, though indeed, every Pariſh hath need of more Miniſters then one. Then to exhort the Hearers unto godlineſſe in practicall points,

points, and to comfort and ſtrengthen the infirmity of faith in the Saints, as alſo to adminiſter Sacraments, this is the part of the Paſtours or Exhorters. *Origen*, and *Peter Martyr* take Propheſying thus generally for Doctrine and Exhortation, ſo doth *Paræus*.

2. *Miniſtry:* This is the other generall head, and it is not here to bee taken in a particular ſenſe, but in a generall meaning as comprehending other kinds under it, which were wont to bee converſant about the body and temporall things. This pertaineth to Diſcipline and manners. It hath three gifts, or is here ſubdivided into three offices. 2 Miniſtry what? Its offices.

First, To *diſtribute* the treaſury or Church goods to the poore, as every one had need, *Act.* 6 3. 5. Their gift was *ſimplicity*, that is, that they without fraud, vaine-glory, covetouſneſſe, or frowardneſſe, ſhould give out the almes. 1. To diſtribute.

Secondly, Thoſe that were joyned to the Paſtours, as aſſiſtants and helpers for Government of the flock to prevent ſcandals and offences, 1 *Cor.* 12. 28. 1 *Tim.* 5. 17. Thus *Martyr*, *Clevian* and *Paræus* doe judge, *Piſcator* alſo. Theſe Maſter *Calvin* calleth Seniours, *Oſiander* Cenſours of manners, *Tertullian* Prefidents, which attended and obſerved outward behaviours onely. Their gift was diligence, which ſtood in a firme purpoſe and ſtrong endeavour to doe the buſineſſe and charge committed to them. 2. To Governe.

Thirdly, The laſt ſort of Miniſters, here mentioned are mercy-ſhewers in theſe words, *Hee that ſheweth mercy with cheerefulneſſe*. Thus *Fajus*, and *Gualter*, and *Paræus* expound it. Theſe mercy-ſhewers were not ſuch, as were ſpoken off, in *Matth.* 25. 35. 36 For that worke is common to all Chriſtians, but here hee meaneth ſuch mercifull workes as bee mentioned, in 1 *Tim.* 5. 10. They which were to bee employed in this ſervice of ſhewing mercy, were ſuch as were appointed to looke to the poore, ſick, aged, impotent, ſtrangers, exiles, orphans, &c. Their gift was cheerefulneſſe, which containeth; Firſt, Alacrity of heart. Secondly, Gentleneſſe in words. Thirdly, Pleaſantneſſe in countenance, 3. Mercy-ſhewers who?

tenance. For as their worke was ſuch as might breed loathſomneſſe to attend ſick and feeble perſons, ſo they were to bee old widdowes and aged men, who naturally are ſoure and teſty; therefore needed this precept of cheerefulneſſe. Thus wee ſee, one had one function, another had another; one was a Doctour, another a Paſtour; one an Elder, another a Deacon; one a Superiour and ruled, others obey as Inferiours, and every one of theſe, had their ſeverall gifts for the performance of their worke. As man conſiſts of *Soule* (which hath *underſtanding and will*) and a *Body*; God willing to have the whole man ſaved, appointed for the *underſtanding* part, *Doctrine* to teach it, and for the *will*, *Exhortations* to quicken it: And for the *Body*, certaine other *Officers* to looke to the welfare and carriage of it before men.

5. 1 *Cor.* 12. Where the Apoſtle reckons up the diverſity of gifts given for the edification of the Church, and relateth them in this manner, yet not all, but thoſe which tended to his preſent purpoſe, as *viz.* Firſt, To one is given the word of wiſedome. Secondly, To another, the word of knowledge, *Verſe* 8. Knowledge and wiſedome are taken diverſely in Scripture, but in this place, *Calvin* taketh them as *Minus* and *Majus*, as in *Col.* 2. 3. where alſo they are joyned together as here. For *Paul* ſhewes, that all the treaſures of wiſedome and knowledge, are hid in CHRIST. By knowledge therefore, hee meaneth the underſtanding of holy things; by wiſedome, hee meaneth the perfecting of them; and skill to apply, that which is underſtood, to uſe. Thirdly, To another Faith, *Verſe* 9. And by Faith, hee here meaneth a particular Faith, as appeareth by the context, which worketh miracles, ſuch as *Judas* had, and by it wrought miracles. Fourthly, The gift of healing, the which what it is, no man is ignorant. Fifthly, To another, the working of miracles, *Verſe* 10. as to worke by miracles againſt Sathan and Hypocrites, as was done againſt *Ananias*, *Elimas*, *&c.* Theſe were great workes to reſtraine the Devils, to drive them out. Sixthly, To another Prophecy,

phecy, *Verſe* 10. that is, To declare Gods myſteries, and that in a ſingular manner, as Gods Meſsengers or Interpreters to men. Seventhly, To another diſcerning of Spirits, that is, to try both the Doctrines and Perſons. Hereby, they diſcerned the true Miniſters of CHRIST from the falſe. Eightly, To another, diverſe kinds of tongues, to another, the interpretation of tongues. Interpretation differed from the knowledge of the tongues, for they that were endued with the knowledge of tongues, did not onely keepe themſelves to that language where they were: Interpretours tranſlated the ſtrange language into another tongue. Theſe gifts they then got not by labour nor ſtudy, but had them by a wonderfull Revelation of the Spirit, and ſo they were extraordinary and temporary onely for that time, and ſo now are ceaſed, and not to bee inſiſted upon.

Offices.

Having thus in the beginning of the Chapter ſpoken of their gifts, hee towards the end ſpeakes of their offices wherein they were employed, after that they were fitted with ſuch gifts. He doth not here reckon up all the offices, but ſome for inſtance. In *Epheſ.* 4. is a fuller enumeration of them, as wee ſhall ſee by and by, to which wee will haſten, becauſe thoſe are required to the perpetuall Government of the Church. Thoſe that hee mentioneth here are ſome perpetuall, ſome temporary. The perpetuall are thoſe, which are neceſsary for the Government of the Church. The temporary are thoſe, which were neceſsary for the laying the foundation of the Church at firſt. Of the former ſort, was the office of Teachers. Of the other, was the office of Apoſtles. For God created Apoſtles to preach the Goſpell through the World, and did not limit them to any certaine places and Pariſhes. But they were to Preach the Goſpell to all Nations, the which they did by Preaching in the chiefeſt Cities and places of each Countrey, not having time for particulars, and from thoſe chiefe Cities, the newes of the new Doctrine, ſpread into all the ſeverall parts of the Countrey. Whereas Paſtours were tied to particular

Some were perpetuall, as Teachers which were limited.

Others temporall, as Apoſtles.

congregations, and not commanded to preach to all the World, but to have a care of that Church, which was committed to their truſt.

Prophers. Secondly, From Apoſtles hee cometh to Prophets in this 28. *Verſe*, though in the *Epheſians*, hee joynes Evangeliſts to Apoſtles. By Prophets here hee meaneth not ſuch as had the gift of foretelling matters, but ſuch as had a ſingular gift of interpreting (as before) and alſo of wiſedome to apply the Scripture to preſent uſe. That this is ſo doth appeare, becauſe hee here preferreth Prophecy before all other gifts, for that it makes more for edification, which commendation agreeth not to the prediction of future things; alſo when hee hath laid downe the Prophets office, hee adds this, *that hee ſpeakes to men to edification, to exhortation, and to comfort in Chap.* 14. 3. The which are all diſtinct from predictions. Prophets therefore in this place, may bee chiefe Interpretours of the Scripture; ſuch alſo as are endewed with a more then ordinary wiſedome and dexterity to ſee into the preſent neceſſity of the Church, that they may ſpeake properly to it.

Teachers. Thirdly, Teachers betweene them and Prophets, this difference may bee noted, that the office of a Teacher ſtands in this, that hee maintaine and uphold ſound Doctrine, that purity of Religion may continue in the Church. And Prophets, hee makes thoſe, which reveale the will of God, and apply the prophecies, threatnings, promiſes, and the whole Scripture fitly for the preſent uſe of the Church, as is often occaſioned to bee ſaid. *Cal.*

Miracles healing. As for thoſe that hee ſpeakes of that doe miracles, and have the gift of healing, hee ſpake of them before; in *Rom.* 12. yet there bee ſpeakes not ſo much of the gifts themſelves, as the adminiſtration thereof. And as for the helpers here mentioned, they were *Deacons, which had care for the poore.* And the Governours they *were Elders*, which were the Overſeers of Diſcipline.

Helpers.

Governours. For the Primitive Church had a Senate, which was to keepe the Common-people in honeſty of manners, which

Paul

Paul ſheweth, elſe where when hee maketh a twofold order of Presbyters, 1 *Tim.* 5. 17. And the Government conſiſted of Elders, which were men more excellent, then others for gravity, experience, and authority. *Calv.*

Laſtly, Vnder diverſity of tongues hee comprehends, both the knowledge of tongues and the gift of interpreting. Theſe were diſtinct gifts, for ſometimes, one ſpake with many tongues, and yet did not underſtand the language of that Church where hee was; this defect Interpretours ſupplied.

Now ſeeing, all were not Apoſtles, nor all Prophets, they were not all Teachers, &c. Therefore, they ſhould be helpers one to another, and not jarre, not proudly inſult, but covet every one after edification to profit the Church with the gifts God hath given him.

6. *Epheſ.* 4. 11. Here the Apoſtle reckons up foure ſeverall ſorts of offices:

First, CHRIST gave ſome to bee Apoſtles, which is to bee taken in a proper ſignification for CHRISTS twelve choſen Apoſtles, in whoſe order, *Paul* afterwards was. Their office was to publiſh the Goſpell through the World as was ſaid, to plant Churches, to erect the Kingdome of CHRIST, all abroad, and ſo had not proper congregations.

Secondly, The next to theſe Apoſtles were Evangeliſts, and their office was like the other Apoſtles, onely they differed in reſpect of dignity. Of this ſort were *Timothy* and ſuch like. For though *Paul* joyne him to himſelfe in his ſalutations, yet hee doth not make him his companion in the Apoſtleſhip, but claimeth this as peculiar to himſelfe. Next unto the Apoſtles, yet the Lord made uſe of the labours of theſe.

Thirdly, Betweene theſe two, *Paul* interpoſeth Prophets, which are as thoſe in 1 *Cor.* 14. Famous Interpretours of the Scripture, which alſo made application for preſent uſe.

Fourthly, Paſtours and Teachers; By Teachers or Doctours,

ctors, hee here meaneth Interpretours of Scripture, to keepe up ſoundneſſe of Doctrine, and he may bee a Teacher, which is not appointed for Preaching. Paſtours are ſuch, as had the charge of certaine congregations. Not, but that ſometimes one man may bee both, but the gifts are diverſe. Onely theſe two latter, are perpetuall, without whom there can bee no Government of the Church, *Calv. Com. ibid.*

7. 1 *Tim.* 3. In the firſt verſe, the Apoſtle ſheweth, what a ſpeciall care muſt bee had in chuſing Miniſters to ſo excellent a worke, as to perſonate the Sonne of God, to build up the Kingdome of CHRIST, to take care for mans ſalvation, which CHRIST hath bought with his pretious bloud, and to governe the Church which is GODS owne inheritance. And though they are here called Biſhops, yet the name is but the ſame with Miniſters, or Paſtours, or Presbyters. Theſe muſt bee ſuch as are apt to teach, *Verſe* 2. not onely to have learning in them, but alſo the gift of teaching. They muſt have volubility of tongue, and it muſt bee ſuch as is fit for edification, and they muſt have skill to apply matters for the uſe of the people. Againe, hee muſt take care for the Church of GOD, *Verſe* 5. for the governing of it, and carry himſelfe, as that hee may not bee contemptible in the family, much leſſe in the Church. Theſe muſt bee ſuch for their converſation, as that they which are without, even the very Infidels may bee forced to acknowledge them honeſt men. Then in *Verſe* 8. *&c.* Hee ſpeaketh of other Church Miniſters, which are the Deacons, which exerciſe a publike office in the Church, though not to teach, and ſheweth what ones they muſt bee. Theſe were ſuch Deacons as *Luke* mentioneth, in *Act.* 6. 3. which had the care of the poore, and what their office was, *Calvin* ſheweth fully in his Inſtitutions.

8. 1 *Tim.* 5. 17. to 23. *Let the Elders that rule well, bee counted worthy of double honour, eſpecially, they which labour in the word and doctrine.* This place is moſt cleere, that there were two ſorts of Elders, *ſcil.* Teaching, (or rather Exhorting)

Elders of two ſorts.

ting) and Lay-elders. This is the ground of our foresaid course in the greatest part of it. For here, hee sheweth the Church Governours to bee some ruling, and some both ruling and labouring in the word and doctrine; the latter being assisted by the former, and the former directed by the latter. Both were much to bee honoured with double honour, which is maintenance and reverence according to *Chrysostome*: *Paul* preferreth those, that labour in the word and Doctrine above the other. And those two words, *word and doctrine*, signifie one thing, to wit, the preaching of the word. But they were not so to be accounted off, except they ruled well; wherefore wee hope the refusing of them that hitherto have demeaned themselves unworthily, or not laboured in the word and doctrine, is but according hereto by the rule of contraries. They are not to bee better accounted off, nor provided for, then is aforesaid in their allowance.

Though, *Paul* calleth the Church Governours Presbyters or Elders, yet it is not so much, because of their age, as in regard had to their office. Those that onely ruled, and had not the office of teaching, were certaine grave, honest, approved men, chosen out of the people, which were to execute Discipline with the Pastours by a common consent and authority, and they were as Censours for correction of manners, as *Calvin* commenteth. *Ambrose* also complaineth that this custome did begin to grow out of use through the slothfulnesse of the Teachers, or rather through their pride, who would bee alone in ruling without the Lay-elders assistance. *Note.*

Then the Apostle sheweth the maintenance of these, especially of the Teaching Elders. For it is an ungratefull World that maintaineth not the bodies of such as feed their Soules with *Manna* from Heaven. Sathan labours to deprive the Church of the word and doctrine by affrighting men from undertaking the waight of this office for feare of poverty and want. But *the Oxe must not bee muzzelled that treadeth out the corne*; For *the Labourer is worthy of his* Maintenance.

reward. It were an inhumane part not to have care of them, that have the care of the whole Church.

9. *Tit.* 1. Wholy eſpecially, *Verſe* 5. where *Paul* ſaith, *Hee left Titus in* Creet, *that hee ſhould continue to redreſſe things that remaine, and ordaine Elders in every City as hee had appointed him. Paul* himſelfe had begun to lay the fountion in Creete, and afterwards left *Titus* to finiſh it. For ſome would have overthrowne the Government of the Church, which *Paul* beganne to lay, and would have corrupted the Doctrine alſo. Some through ambition would have thruſt in themſelves to bee Paſtours. Others under colour of *Moſes* Law, brought in many trifles.

But againſt theſe, *Paul* armeth *Titus*, ſhewing what manner of Miniſters hee ought to chuſe; cheifely requiring, that they bee *men of ſound Doctrine*; that they may reſiſt the Adverſary. Alſo they muſt bee *unreproveable*, that is, without all infamy, whereby their authority might bee diminiſhed. Hee calleth them GODS *Stewards*. For that they have the diſpenſation of his gifts. They muſt bee *righteous* towards men, and *holy* towards GOD. They muſt bee ſuch as *hold faſt the faithfull Doctrine* even in times of triall.

10 Laſtly, *Rev.* 2. 2. CHRIST ſaith to the Miniſter of the Church of *Epheſus, I know thy workes, and thy labour, and thy patience, and how thou canſt not beare them, that are evill, &c.* That is, groſſely evill, though hee did beare much with mens humane frailties.

Thus having given ſome inſight into ſuch Scriptures, as treat of this ſubject, they all ſeeme, and truly doe tend this way that wee point at. Whoſoever poſſeſſeth himſelfe well with the courſe in the reading of it, and then conſiders of the ſame in reading theſe Scriptures, may ſee they cloſe in together one with another. In peruſing theſe Scriptures, conſider what was extraordinary and temporary, and ſo ended with thoſe extraordinary times, the which are eaſie to diſcerne: and thoſe that were ordinary and perpetually to remaine, being thought of a part by themſelves; the foreſaid

Note.

ſaid courſe may eaſily appeare to bee conſonant to them. How this will ſeeme to every Reader (into whoſe hands it may fall) wee know not; any thing may be carped at, the mind of the Reader is all. But whoſoever hee is, wee beg of him to looke to CHRIST his owne inſtitution of Ecclesiaſticall Government. Hee being Maſter of the houſe, would not leave it without order. Some Doctrines are humane Doctrines as *Paul* calleth them, becauſe they ſuite to mans diſpoſition. So there are humane orders and governments deviſed by men, which may ſeeme leſſe liable to exception; farre more plauſible, but our eye muſt bee on the primitive Inſtitution. Some plead for the Epiſcopacy ſtill, ſome for the paring of the abuſes, and let the ſubſtance ſtand; would wee but looke well to the Inſtitution, and ſtudy the point throughly, wee ſhould all looke one way. Papiſts may tell us of many faigned Sacraments, and ſhew much reſemblance, betweene what they call the thing ſignifying, and the thing ſignified, and a fairer face, happily they may put on the faigned ones then on the true, but it is the very point of Inſtitution that diſcriminateth all. So it is in Eccleſiaſticall Government. All muſt bee brought to this Touch-ſtone, and that let us account for adulterate, and hetorogeny, that is not conſentaneous to primary Inſtitution. Ever looke to Chriſts Inſtitution.

2. From Reaſon.

Beſides thoſe extraordinary Embaſſadours of God, the Apoſtles, Prophets, and Evangeliſts, which were but temporary, there are but theſe three other orders (already mentioned) in the Church of the new Teſtament, which are to continue for ever, *viz.* Firſt, Biſhops or Paſtours, and Teachers of Gods word. Secondly, Presbyters or Elders particularly ſo called. Thirdly, Deacons, or the Church Treaſurers and Beſtowers of almes, and ſuch gifts as were given to the Church.

First, From the objects.

For as there are three chiefe objects of Church Government which ever continue, *ſcilic.* Firſt, The word and Sacraments. Secondly, The adminiſtration of Diſcipline, for the Reformation of life and manners. Thirdly, The

The care of the poore, ſickly and afflicted ones. So likewiſe ought there to bee three ordinary degrees of men to bee occupied about the Government of the Church thus. Touching which you have ſeene, *Act.* 6. and 13. and 14. 1 *Tim.* 3. and 5. *Tit.* 1. wholy. *Rom.* 12. 1 *Cor.* 12. *Epheſ.* 4. *&c. Conr. Vorſt. anti-Bellar. pag.* 197.

2. From the parts of man. Other reaſons were pointed at before, as, man conſiſteth of ſoule, (which hath mind and will) and body, which muſt bee ordered and provided for, &c, So God hath ſet out Teachers for the mind, Paſtours for the will, and one to doe both; where both Teachers and Paſtours cannot diſtinctly bee had. And Lay-elders and Deacons for the body. All which is in the propoſed courſe.

3. From the State of the Church. It was alſo pointed at before, that one Government was for the foundation of the Church at firſt, another for the continnance of the Church; wee muſt not thinke of the Apoſtles having Succeſſours, theſe wee enlarge not; they are plaine of themſelves.

4. From Authours the beſt. From the Teſtimonies of moſt Orthodox Authours that have written fully of this ſubject, and doe accord generally with this courſe in one conſent.

Polan. Sintag. pag. 537. NO other Miniſters are to bee conſtituted, or if they bee, none are to bee received, but ſuch as CHRIST himſelfe ordained by his Apoſtles. For (*ſaith hee,*) there can bee no better Government of the Chriſtian Church now, then that which CHRIST himſelfe ordained by his Apoſtles, therefore, in ſuch wee muſt reſt as the Apoſtles (according to CHRISTS will) ſet over the Church.

Spirituall. Doctrine. Of theſe (ſaith hee,) ſome had the charge of Spirituals, ſome of Corporals, *quoting Rom.* 12. 6. 7 8. Thoſe which had the charge of Spirituals, were ſome over Doctrine, ſome over Diſcipline. The office of ſuch as were over Doctrine, was to teach and interprete Scripture. Theſe *Synechdochically* were called Prophets, becauſe they did open and expound the ſenſe of the Scriptures of the Prophets for common edification, exhortation, and conſolation of all, 1 *Cor.* 14. 1. 3.

Theſe

Theſe which were over the Doctrine were ſome Paſtours, ſome Teachers, *Eph ſ.* 4. 11. *Act.* 13. 1. The Paſtours were ſuch as were over a particular and certaine congregation, as part of the Church of CHRIST, *Act.* 20. 17. 28. 1 *Pet.* 5. 2. *Ier.* 23. 4. Theſe are called Biſhops. Paſtors.

Biſhop is the name of office, and the office is to attend the flock committed to him. According to *Cajetan*, upon *Act.* 20. 28. Paſtours then are particular Biſhops of a particular congregation, whereas the *Epiſcopacy* of the Apoſtles, (that were extraordinary men for the firſt ſetling of the Church) was univerſall and generall.

Theſe Biſhops are alſo called Presbyters or Elders, *Act.* 20. 17. 28. whom *Paul* calleth Elders, in *Verſe* 17. hee calleth Biſhops in *Verſe* 28. The like is in, *Tit.* 1. 5. 7. *Ideo jure Divino iidem ſunt Presbyteri, qui Epiſcopi: quod ipſum etiam jus Canonicum docet, Diſt.* 93. *cap. legimus.* Wherefore Presbyters and Biſhops by Gods law are equall, that is, they adminiſter the ſame office, in the ſame manner, and with the ſame authority: So that (ſaith hee,) the Church of God which in reſpect of its head, *ſcil.* The Lord IESUS CHRIST, is a Monarchy, ought to bee governed *Ariſtocratically* by Biſhops and Paſtours, which are equall in power, though they may differ in diſtinct functions, and degrees, for order and government of the Church; whence it was, that the Presbyters had the power of impoſition of hands in ordaining Paſtours, 1 *Tim.* 4. 14. *Can. Presbyt. Diſt.* 23. Cajetan.

Indeed, after the Apoſtles times to prevent Schiſmes, one of the Presbyters was ſomewhat preferred above the reſt, which afterward was, Κατ' ἐξοχὴν, called *Epiſcopatus*, or *Antiſtes*. But primarily it was not ſo; For as all the Apoſtles of CHRIST were equall in dignity, authority, juriſdiction, and power. *Ambroſ. Com.* upon the third Chapter to *Cor: Peter* himſelfe had no Primacy, or Monarchy amongſt them: Neither was hee the univerſall Apoſtle, but the Government of CHRISTS Church was given to every one of CHRISTS Apoſtles, by equall power and juriſ-

juriſdiction, *Matth.* 28. 19. *Io.* 20. 21. 2 *Cor.* 11. 28. So all Biſhops are the Apoſtles Succeſſours in the office of feeding the Church, as *Anacletus* writeth, *Diſt.* 21. *C. In novo.* The Apoſtles being deceaſed, the Biſhops ſucceeded in their place. And *Hier.* as is cited, *Diſt.* 35. *C. Eccleſiæ.* If wee bee in the Apoſtles ſtead, let us not onely imitate their words, but alſo follow their converſation. And *Urbanus ſecundus, ex Auguſtino Diſt.* 68. *C. Quorum vices,* ſpeaketh in this manner, *Pro Apoſtolis filii nati ſunt tibi: Conſtituti ſunt Epiſcopi.* Yet this diſtinction muſt diligently bee noted in this place, how the Apoſtles had Succeſſours, how not. *Peter, Andrew, Iohn,* and the reſt of them in the Apoſtleſhip are conſidered, either as Paſtours, or as Apoſtles. As Paſtours, they have Succeſſours; as Apoſtles, they have none. And ſo the quoted Authours are to bee underſtood. Every Biſhop then, (that is, every Miniſter,) is a Succeſſour of *Peter*, who preach the ſame Doctrine which *Peter* did. *Non habent enim Petre hæreditatem, qui Petri fidem non habent, quam impia diviſione diſcerpunt,* ſaith *Ambroſ. de panit. lib.* 1. *cap.* 6. which is cited in the *Canon Law de panit. diſt.* 1. *cap. poteſt.* Whoſoever therefore doth not teach and follow the ſame Doctrine which *Peter* preached, is no Succeſſour of *Peter.*

All Biſhops are equall therefore amongſt themſelves, in reſpect of their office of feeding, that is, of teaching and adminiſtring the Sacraments, and of binding and looſing. This the ſame Canon Law teacheth, *Diſt.* 93. *cap. legimus.* Yet for the preſervation of order and Eccleſiaſticall Government, when diviſions did ariſe, the Church at length, long after the Apoſtles, ſomewhat preferred one before others to keepe them within limits, *Et coercere,* ἐπισκοπὴ καὶ ἀρχὴ. And as the ſame Authour ſaith, It is true indeed, all Paſtours are Biſhops, and were commonly ſo called; *Act.* 20. 28. *Phil.* 1. 1. Yet in ſucceſſion of time, hee that was before his other fellow Collegues for order ſake, was called a Biſhop, the reſt Presbyters. But how this came at length, let us learne out of *Hier. in cap.* 1. *Epiſt. ad Tit. &*

in

in Epiſt. ad Evagrium, where hee affirmeth, *Before there were factions in Religion, a Presbyter and a Biſhop were both one; and the care of the Church was equally divided amongſt many, it was governed by the common adviſe of Presbyters equally. But when Schiſmes and diviſions did ariſe, it was decreed, that one of the Presbyters ſhould bee elected, and in every Church bee ſet over the reſt, and was called a Biſhop or overſeer. But* (ſaith hee,) *This ſubjection of Presbyters under Biſhops, and majority of Biſhops above Presbyters did grow rather by the cuſtome of the Church, then by the truth of the Lords diſpoſition, for they ought to rule the Church in Common, for thus to exalt one was not the Lords ordinance:* but the contrary, according to which *David* conſulted with the Laity as well, as with the Prieſts and Levits, to bring up the Arke of God, 1 *Chron.* 13. 1. 2. 3. *Hezechiah* concerning the keeping the Paſſeover tooke counſell, not with the Prieſts onely, but with the Princes and all the congregation in *Ieruſalem*; 2 *Chr.* 30. 1. 12. And afterwards, the brethren in the great counſell at *Ieruſalem* were not ſhut out, while the Apoſtles and Elders came together to conſider of a great controverſie in Divinity, and to make decrees; but when they were ſent forth they paſſed under their owne name, and the name of the brethren alſo; *Act.* 15. 6, 22. 23. Thus then wee ſhould looke ſtill to the firſt inſtitution, and rather follow that, then that which at firſt a little digreſſing, runne head long on into one miſchiefe after another inſufferably. Thus they write of Paſtours. Note.

Touching Teachers, the beſt Authours call them Doctors of Divinity, and write of them in this manner, to wit, *Doctores Theologiæ ſunt, qui in id tantum incumbunt, ut ſincera Doctrina inter fideles retineatur. Ergo non amplius quàm docent: nec tamen alia docent quàm Paſtores, ſed tantum aliter quia non ſtudent movendis affectibus. Paſtores circa ſcientiam & conſcientias hominum occupantur: Doctores præcipuè circa ſcientiam.* Theſe were chiefely in the Vniverſities. Teachers.

Neither Paſtour nor Teacher ought to have civill and worldly Dignity: *Ambroſe* on 2 *Tim.* 2. 4. *No man that warreth*

warreth (as a good ſouldier of CHRIST,) *intangleth himſelfe with the affaires of this life, but that hee may pleaſe him, who hath choſen him to bee a ſouldier. Manifeſtum eſt quod dicit, quia nemo poteſt duobus Dominis ſervire. Negotia enim ſecularia avaritiæ ſerviant neceſſe eſt.* And the ſame *Ambroſe*
Et mox. ſaith a little after, *Eccleſiaſticus autem idcirco Deo ſe probat, ut huic devotus officium impleat, quod perpendit, in Dei rebus ſolicitus, à ſeculari negotio alienus. Non enim convenit unum duplicem profeſſionem habere.* Alſo *Hieron. Comparatione militantium utitur, ut oſtendat multò magis nos à ſecularibus negotiis liberos eſſe debere, ut Chriſto placeamus: quum etiam ſeculi milites a reliquis actibus vacent, ut poſſint Imperatori ſuo placere perfectè.*

The reformed Churches goe ſo farre this way in this Diſcipline, that they have a conſtitution, that no Miniſter of the word ſhall practiſe phyſick profeſſedly, leaſt in any degree it with-draw him from his care of the Miniſtry. No approved example out of the new Teſtament, nor out of Eccleſiaſticall Hiſtory or Counſell, of any Miniſter of the word of God, that exerciſed any Dignity meerely civill. The examples of Popiſh Biſhops, and Clerkes, are not to bee approved off, for they are not of Gods order, *Pol. Synt.* 539.

Yea, theſe Paſtours and Teachers being the Lords witneſſes, are not ſo much as to poſſeſſe ſuperfluous terrene riches, according to *Pol. pag.* 537.

Firſt, Leaſt they ſhould bee with-drawne from the ſervice of God.

Secondly, Leaſt they intangle themſelves with ſecular buſineſſe.

Thirdly, Leaſt leaving their office and care of ſoules committed to them, they doe things unbeſeeming the Miniſtry.

Fourthly, They ought to meditate on Heavenly things, rather then on Earthly.

Diſcipline. Let us proceed and ſee next what they ſay of Diſcipline, namely, That there are two ſorts of Elders: Some over both

both word and Diſcipline, others onely over Diſcipline, 1 *Tim.* 5. 17. Of the latter they write thus; *Moderatores Diſciplinæ ſunt viri pii & graves ex plebe delecti, & Epiſcopis ſeu Paſtoribus tanquam Adjutores adjuncti, ut communio Eccleſiæ tanto melius conſervetur. Ac de iis agitur, Rom.* 12. 8. 1 *Cor.* 12. 28. *Presbyterorum Collegium vocatur Presbyterium, & vacatur etiam Eccleſia repreſentativa particularis. Officium eſt, Diſciplinam Eccleſiæ regere, omnibus in officio contentis, aut ſi ſemel abducti fuerint, ad illud revocatis. Idque in omnibus Diſciplinæ capitibus tum eſſentialibus, tum accidentariis. Eſſentialia ſunt, quæ omnino in Eccleſiæ rectâ adminiſtratione ſunt neceſſaria & velut fundamentalia. Cujuſmodi ſunt ordo quidam in Eccleſia quæ eſt Domus Dei, legitimæ vocationes Perſonarum, velut Paſtorum, Doctorum, Presbyterorum, Diaconorum, & earundem; Si munere ſuo non rectè fungantur abdicationes; cenſuræ item Eccleſiaſticæ. Accidentaria ſunt acceſſoria quædam, quæ pro temporum, perſonarum & locorum ratione ſtatuuntur, & neceſſitate vel utilitate poſtulante mutari poſſunt; Pol. Syn.* 539. 540. Nota.

What hee writeth of Deacons, &c. is likewiſe ſutable to our foreſaid courſe, as is to bee ſeene in *ibid. pag* 540. though wee ſtand not to relate it, for wee ſhould but *Actum agere.* Deacons.

Moreover, the power of Church-meetings, is deſcribed thus; *Poteſtas Conventuum Eccleſiaſticorum eſt jus quod Deus Eccleſiæ dedit, ut fideles in nomine Chriſti convenirent ad communem ſuam ædificationem.* Of this CHRIST ſpeakes, *Mat.* 18. 20. *Where two or three are gathered together in my name, there am I in the midſt of them.* An example of this, is in *Luk.* 24. 53 *Pol. Syn.* 541. Power of Church meetings, what?

Theſe Church meetings, they divide into three ſorts, (beſides their ordinary weekely meetings every Lords day for publike worſhip. 3. Sorts.

Firſt, *Conſiſtorium Eccleſiaſticum, & eſt cœtus in quo Presbyteri Eccleſiæ unius conveniunt ob negotia Eccleſiaſtica.*

Secondly, *Colloquium Eccleſiaſticum, & eſt cœtus in quo*

vicinarum Eccleſiarum deputati conveniunt, ut negotiis Eccleſiam ſpectantibus colloquantur & deliberent.

Thirdly, *Concilium Eccleſiaſticum, eſt Synodus Eccleſiaſtica, &c.*

Reverend *Calvin* alſo touching theſe things, ſaith: *It is neceſſary for the preſervation of peace, that every one bee appointed what hee ſhall doe, leaſt all runne on heapes and make tumults up and down; uncertainely without a calling, all flocking to one place, and leave other Churches void. Every Paſtour ſhould bee content with his owne limits, and not breake out into another mans charge. Neither* (ſaith hee) *is this an humane invention, but of Gods appointment. For wee read, that* Paul *and* Barnabas *made Presbyters in all the Churches of Lyſtra, Iconium and Antioch, Act.* 14. 21. 23. *And* Paul *commands* Titus, *that hee ordaine Elders in every Towne, Tit.* 1, 5. *Elſe where hee mentioneth, the Biſhops which were at* Philippi, *Phil.* 1. 1. *And* Archippus *the Biſhop of* Coloſſe, *Col.* 4. 17. *A famous Sermon is related, which* Paul *made to the Presbyters or Elders of the Church, Act.* 20. 17. 18. *&c. Every one therefore undertooke the cure and government of his owne congregation, and knew himſelfe bound to it by the Law of God calling him thereunto. From thence hee was not to remove for his owne commodity, nor of his owne mind, but there to abide except publike Authority for a publike good remove him.* Calv. Inſt. l. 4. 3. 7.

Againe ſaith hee, *Though every Paſtour have a ſeverall congregation aſſigned to him, yet it is not denied, but one which*
Note. *is tied to one, may helpe other neighbour Churches, if any diviſion ariſe, which requireth his preſence, or if his counſell bee requeſted in ſome matter of difficulty,* ibid.

And touching aſſiſtants, hee preſently addes; *There were alſo ruling Elders choſen out of the people, who together with the Biſhops had the cenſuring of manners, and the execution of Diſcipline. And that of the Apoſtle in Rom.* 12. 8. *cannot bee interpreted otherwiſe. Let him that ruleth doe it with diligence. Every congregation therefore, even from the beginning, had a Senate of their owne, conſiſting of godly, grave, holy men;*

and the jurisdiction for the correction of vice was in their power. Experience it selfe sheweth, that this was not the order of one age onely, but is a Government necessary for all ages, Calv. Inst. l. 4. 3. 8. Note.

Furthermore, touching Elections: *Potestas electionum vocationumque, est jus quod tota Ecclesia habet in eligendis sibi vocandisque Ministris probatis atque idoneis, & in ordinem sacrum cooptandis.* Pol. Syn. 542. Elections.

The Church ought to have an exact and accurate care of this liberty not to loose it, but to contend as for the faith, so for this: as *Chrysost. Hom.* 11. on *Ephes.* saith, For no man ought to take on him any Ecclesiasticall function, without a lawfull election and vocation. *Hebr.* 5. 4. 5. 6. *No man taketh this honour to himselfe, but hee that is called of God, &c.*

It is further added, *De ritu præsentandi: Qui ab Ecclesiâ liberis suffragiis electus fuerit, demum à Pastoribus Ecclesiæ accipit ordinationem Ecclesiasticam. Et ordinatio Ecclesiastica est personæ examinatæ & liberis suffragiis electæ, approbataque ad functionem obeundam introductio & confirmatio. Hæc ordinatio fiere debet à solis Pastoribus, præsente toto Ecclesiæ cætu, cui is qui confirmatur, ministrare debet: jus autem, consensus: votum, nomen, approbatio, & authoritas ordinationis illius est totius Ecclesiæ. Graviter itaque peccant, qui plebem Ecclesiasticam ab electionibus Ministrorum plane arcent,* Pol. Syn. pag. 544.

Touching deciding controversies: *Potestas judicandi controversias religionis est, jus ac donum quod Deus Ecclesiæ dedit in controversiis religionis dijudicandis, explicandis, & decidendis,* 1 Cor. 14. 29. 30. 31. 32. *Cum causa aliqua difficilior requirit, plures conjunctim judicare possunt, legitimam vocationem habentes; non tantum Episcopi, sed etiam alii periti Christiani, qui doctrinâ & experientiâ valent, & sensus exercitatos habent cujuscunque ordinis erunt, &c. Id autem facere possunt vel in Presbyterio, vel in Colloquio, vel in Synodo.* Pol. Syn. 544. *Norma autem judicandi, est sacra Scriptura,* ibid. Controversies.

Touching

Order. Touching Order thus: *Poteſtas ordinis Eccleſiaſtici, eſt jus à Deo Eccleſiæ datum conſtituendi ordinem & politiam Eccleſiæ, facientem ad communem fidelium ædificationem. Hac poteſtate Eccleſia conſtituit tum ceremonias externas ad cultum Dei decenter peragendum utiles: tum externam morum formam homini Chriſtiano convenientem. Decreta itaq; ſuper politia Eccleſiæ, appellari conſueverunt Canones Eccleſiaſtici; Hiſtor. Tripart. l. 2. c. 14.*

Authority. Touching the authority of the Church, thus: *Poteſtas juriſdictionis Eccleſiaſticæ, eſt jus à Deo Eccleſiæ datum tuendi Eccleſiaſticam Diſciplinam in offendiculis judicandis & tollendis. Eſtque vel communis vel propria. Communis, cui ſubeſſe omnia membra Eccleſiæ debent nullo excepto. Hæc appellatur poteſtas clavium vel miniſterium Ambroſ. l. 3. de Spiritu ſancto, c. 19. 2 Cor. 13. 10. Etſi poteſtas dicitur, verum non alia niſi miniſterialis. Claves ſunt duæ, Doctrina & Diſciplina. Partes poteſtatis ſunt Ligatio & ſolutio. Ligatio eſt Privata vel Publica. Privata, quæ fit privatim à Presbytero. Eſtque vel Admonitio vel Abſtentio. Admonitio eſt reprehenſio ſeu objurgatio ſevera cum lenitate Spiritus temperata. Eſtque vel Domeſtica, quum quis ab uno aliquo vel altero Pref-*

Note. *bytero privatim admonetur, Act. 20. 20. 26. Iſtas privatas admonitiones exercebunt alii Presbyteri, qui non laborant in ſermone & doctrinâ; vel Presbyterialis, quum is qui peccavit ad Capitulum, ſeu Presbyterorum Collegium vocatur, & ibi coram toto Collegio de peccato ſuo à Paſtore admonetur & arguitur, quò acrius pungatur. Nominatur ab aliis, Admonitio conſiſtorialis, quia conventus Presbyterorum ab iiſdem conſiſtorium appellatur. Abſtentio eſt, quum Paſtor Eccleſiæ in Capitulo ſeu conſiſtorio Presbyterorum interdicit delinquenti uſum ſacræ cœnæ, donec reſcipiſcentiam teſtetur. Publica ligatio eſt, quæ publicè in univerſæ Eccleſiæ cœtu uſurpatur à Paſtore adverſus eum, qui publico aliquo flagitio enormi offendiculum dedit. Et ſic de cæteris. Cenſuræ Eccleſiæ omnes Chriſtiani ſubjecti ſunt cujuſcunque ordinis.* Pol. Synt. 544. 545. *Propria juriſdictio eſt, cui Epiſcopi Eccleſiæ, & cæteri Eccleſiaſtici ſubjecti ſunt peculiari ratione, &c.* ibid. 546.

Laſtly,

Laſtly, to conclude this third teſtimony, wee referre you to profound *Zanchius* (as one of our learnedeſt Prelates calleth him,) on *Epheſ.* 4. 11. who gathers this Doctrine thence, *That* CHRIST *hath ordained many degrees of Miniſters, but none to excell the reſt in authority and power, &c.* For if CHRIST had done ſo, ſeeing it is a matter of ſuch moment, *Paul* certainely would have mentioned it here, ſeeing on purpoſe, hee here diſcourſeth of the chiefe orders of Miniſters, which CHRIST ordained in his Church. But neither here nor elſe where, doth hee make any mention of any ſuch, though hee often ſpeake of the Miniſtry, and Miniſters of the Church; as *Rom.* 12. 1 *Cor.* 12. 1 *Tim.* 3. and 5. *&c.*

Yea, ſee *Con. Vorſt. pag.* 197. who though hee was ſuſpected for his owne judgement, yet that one worke of his, is received of all Orthodox judgements, for hee ſhewes not his owne opinions, but collecteth the judgement of our Orthodox Writers, and for his faithfulneſſe therein, hath beene approved of the beſt Divines, *England* lately had, and of ſome, or all in the preſent convocation. And that, which hee hath collected is, *Evangelici, generatim omnes, de ordinibus Miniſtrorum Eccleſiæ, ita ſtatuunt: ut præter extraordinarios illos Dei legatos puta Apoſtolos, Prophetas, & Evangeliſtas, qui temporarii fuerunt tres alios in Eccleſia N. T. perpetuos ordines agnoſcant: nempe, Primò, Epiſcopos ſive Paſtores, ac verbi Miniſtros. Secundò, Presbyteros ſive Seniores, in ſpecie dictos. Tertiò Diaconos, ſive Eccleſiaſtici ærarii, & eleëmoſynarum œconomos, &c. Hæc eſt brevis & expedita ſententia noſtrorum, de ordinibus Miniſtrorum Eccleſiæ: tot videlicet, eſſe ordines ſeu gradus S. Miniſterii perpetuos, quot olim à Chriſto, & Apoſtolis inſtituti fuerunt, quotque ipſum Eccleſiæ regimen neceſſario poſtulat: nempe, tres illos ſupra expoſitos: quippe quorum uſus in Eccleſia perpetuus eſt, & de quibus expreſſa Scripturæ teſtimonia habemus: cæteros autem vel non vere ſacros, vel omnino ſuperfluos & otioſos, vel denique noxios ac pernitioſos eſſe*, ibid. 198.

This the Doctrine of the Government of CHRISTS

Church, which is written in our Bookes, profeſſed and maintained by the beſt, and openly preached in our Pulpits, as much, as may bee ſuffered; an horrible reſtraint hath hitherto lien upon us, too much puſillanimity hath poſſeſſed the beſt: But now we hope, theſe long ſilenced truths will liſpe no longer, but cry aloud and ſpare not.

5. From removall of objections.

Laſtly, wee ſhall confirme the premiſes by anſwering ſuch Objections, as may bee made againſt it. They which are but weake, and ſo for the moſt part ſhall have briefe anſwers.

1. *Obj.* Why have you not ſpoken, and preached more of this all this while, if it bee a conſtitution of CHRIST, or written of it, as now you doe?

Sol. It hath beene a truth long committed to writing, and is extant in our bookes as you ſee. As for the preſſing of it in the times wee have had, wee could not conceive to doe good by it, as now. CHRIST in *Matt.* 16. 20. chargeth his Diſciples, that they ſhould tell no man that hee was CHRIST, on which place *Muſculus* ſheweth, all truths are not to bee ſpoken at all times, for the knowledge of the truth hath its degrees, and its times, out of which nothing muſt bee brought to bee unfruitfull. Hereupon the *Wiſeman* ſaith, *There is a time to bee ſilent, and a time to ſpeake.*

2. *Obj.* This ſeemeth, but a ridiculous courſe in many parts and paſſages of it?

Sol. So doth preaching, it is the fooliſhneſſe of the World, &c. yet it's the ordinance of CHRIST for ſalvation, *Mark.* 16. 16. So is this CHRISTS owne inſtitution, as is ſhewed, therefore beware of ſuch objections.

3. *Obj.* Would you then have an equality in all Miniſters?

Sol. There may bee much difference in regard of Dignity, not of Empire; *Calv.* on *Matt.* 16. 19.

4. *Obj.* It is ſtrange, the Church hath erred herein ſo long, and ſo many reverend Biſhops and Fathers ſo much miſtaken?

Sol. They knew it to bee an humane inſtitution, and not of CHRIST diſpoſition, as Biſhop *Biſon* confeſſeth out of *Hierome*, in his 12. *Chap.* of his *perpetuall Government*

of

of CHRISTS Church, yet permitted it. *Bigamy* and *Polygamy* were suffered long.

You seeke to promote your selves? 5. *Obj.*

Wee are sorry, if the premises argue so much; Ministers are servants, it's not for them to contend for Lordship and Empire. None that ever knew, CHRIST will take us for his followers then, wee rather consider the Church consisteth not of one sort of men onely; it is not, wee of the Clergy alone that make the Church, wee would therefore have the rest to have an hand herein as well, as our selves. Wee are ashamed any of us hitherto have usurped more then Ministry, that is service. *Sol.*

It is dangerous to alter so setled a Government of so long continuance? 6. *Obj.*

Looke upon other reformed Churches, who have shaked off such Government without perill. Let us rather thinke it dangerous to retaine any Antichristianity, but out it, lest it extirpate us. *Sol.*

Where is any president for this, shall wee bee singular? 7. *Obj.*

Wee are rather singular as wee are, and different from, and more backward herein then, other reformed Churches. What a president did the King of *Denmarke* give in his Kingdome? Nay in our owne Kingdome, did not King *Henry* beginne well in setting upon the Abbots and Priours in his dayes? And did not Queene *Elizabeth* follow well in her time? and shall wee make no progression? rather strike a third blow to pay for all, the which doubtlesse will bee for eternall memory to our renowned King and States assembled. *Sol.*

Is it not well to reduce the Government to the purest times of Queene *Elizabeth*, shall wee not content our selves therewith? 8. *Obj.*

Though much then was done, yet shall wee in 80. yeares after shew no proceedings? this not the growth that is expected. See what CHRIST saith to the seven Churches of *Asia*, *Rev.* 2. and thinke what occasion hee hath to *Sol.*

ſpeake to us off. When hee cometh againſt us with an army, weeare not able to meet him, it is our wiſedome to ſend treaties of peace, and give him quiet poſſeſſion of his owne inheritance. Oh would not any Maſter of a Family take it ill to bee locked out of doores by the ſervants hee truſted his keyes with? and to beate their fellow ſervants? hiding their talents, and bring nothing forward?

9. *Obj.* Many other formes ſeeme more likely then this. By this courſe, wee feare every Pariſh, or at leaſt, every hundred would vary, ſo as that wee ſhould have great diverſity of Government, which is moſt dangerous and ſcandalous?

Sol. Many ſeeme, and are not. Errour ſeemes more plauſible then truth; witneſſe, Popery in many points. Our maine buſineſſe is to looke to the originall and primary inſtitution, and let that decide all, if that bee againſt us wee yeeld; if for us, wee humbly ſue for audience; this is the very *Apex* of the controverſie. As for varieties and diverſities of Government, &c. as is ſaid already, the preſent Parliament is to preſcribe one forme for all, which is to bee obſerved in every hundred and Pariſh.

10. *Obj.* But is this the onely regiment of the Church, thus to bee ruled by an Eccleſiaſticall Government alone, is this your drift?

Sol. Nothing leſſe, though this objection had not beene raiſed, our purpoſe was to ſhew the Civill Government of the Church, alſo as well, as wee have the Eccleſiaſticall. And this wee crave leave now to doe that wee may not bee miſtaken.

Civill Government of the Church. The Civill Government of the Church is, the corporall Government thereof under the Civill Magiſtrate, to whom God will have his Church in ſubjection in this World, for the preſervation of outward peace and quietneſſe. *Rom.* 13. 1. *Let every ſoule bee ſubject to the higher powers, &c. Tit.* 3. 1. *Put them in mind to bee ſubject to Principalities and powers, to obey Magiſtrates.* 1 *Pet.* 2. 13. *Submit your ſelves to every ordinance of man for the Lords ſake, whether it bee to the King as Supreme, or unto Governours ſent by him, &c.*

From

From this ſubjection no man is exempted, though hee bee an Apoſtle, though hee bee an Evangeliſt, though hee bee a Prophet.

1. All Churchmen ought to bee ſubject to the ſecular Magiſtrate, in reſpect of the outward and Civill rule, and that for theſe reaſons. All in ſubjection, and why?

Firſt, God hath required it of them. *1 Pet. 2. 13. 14. Submit your ſelves to every ordinance of man for the Lords ſake, &c. Rom. 13. 1.* Wherefore the Civill power of the Magiſtrate over the Church is of Divine right, not humane, nor cuſtomary.

Secondly, In the time of the old Teſtament, the Prieſts were in ſubjection to the Kings.

Thirdly, CHRIST himſelf & his Apoſtles, and their godly followers were ſubject in temporall things to the ſecular Magiſtrate. CHRIST paid tribute to *Ceſar*, was judged before *Pilate*. So was *Paul* the Apoſtle before *Feſtus*, *Felix*, and *Nero* the Emperour. And *Paul* doth not appeale from *Feſtus* the chiefe Ruler to *Peter* the chiefe of the Apoſtles, but to the Emperour *Nero*. *Auguſtine* confeſſeth himſelfe ſubject in his *Expoſition on the Romans, Num. 72.* So doth *Policarpus of Smyrna, Euſeb. Hiſtor. Eccl. l. 4. c. 15.*

2. They ought to bee ſubject in all things, which Kings ſhall appoint in Eccleſiaſticall order according to the will of God, as outward decency and matters indifferent. Thus the Prieſts and Levits were ſubject to the order which *David* appointed, and which *Solomon* after eſtabliſhed, and *Hezechia* and *Ioſiah* brought into ure againe afterwards. And how?

Such authority, God hath given to godly Kings, Princes, and Magiſtrates in the Church, therefore they have the chiefe authority in their Dominions, both in reſpect of corporall Government, and alſo in regard of their care for Religion, and the worſhip of God, as the example of *Moſes*, *Ioſua*, and *David* teach. Wherefore the Pope of *Rome*, with his Cardinals, falſe Prieſts, and Clergy, doe reſiſt the will of God, while they deny ſubjection to be due to the Civill Magiſtrate.

Magistrate necessary for the Church.

It is necessary, the Church should have a Magistrate over her.

For first, Hee is ordained of God to defend the Church. *Judg.* 2. 16. The Lord raised them up Iudges to deliver them out of the hands of them that spoiled them.

Secondly, Without the Magistrate, true Religion cannot long subsist. *Judg* 17. 6. and 19. 1. *In those dayes there was no King in Israel, but every man did that which was right in his owne eyes.* A good Magistrate, that is faithfull and wise, is a good token of Gods love towards a people, as the Queene of *Sheba* saith, 1 *King* 10. 9.

Church is in the Common-wealth.

The Church is in the Common-wealth, as *Optatus Milevitanus* saith. Yet this must rightly bee understood. For the Church and the Common-wealth, sometimes differ both really and respectively, sometimes onely respectively. After the ascention of CHRIST into Heaven the Church differed from the Common-wealth, both really and respectively, and the manner of it was wholly separated from the manner of the Common-wealth, before the saving Doctrine of the Gospell had broken the obstinate minds and wickednesse of Infidels. But after that the darkenesse of the errour of the Gentiles was driven away, and the profession of Christianity was received by most men, the Church was after a sort the same with the Common-wealth. For at that time, the people which made the Common-wealth, the same also were the Church, though in a different manner and end. Especially, then the Church & Common-wealth were all one, when the beleeving Emperours published liberty for Christian Religion, and made that a Christian Common-wealth, which before was Heathen, wherefore the beleeving Emperour, is the temporall head of the Christian people, and the Rector and temporall head of the faithfull.

Reall difference.

Both one.

Yet differ.

Though the same people bee the Church and Common-wealth, yet there is a difference betweene Church and Common-wealth: for the end of the institution of the Common-wealth is for the obtaining of an humane good; but the end of gathering the Church, is for the worship of

In end.

God, and for a preparation of future happineſſe. Neither are the Church and Common-wealth diſtinguiſhed onely by a different end, but alſo by their condition, inſtitutions, and government. The Common-wealth is converſant here in this World, as in it's owne lawfull Countrey, and gets worldly wealth and the meanes of this life, obtaineth power and enlargeth it's coaſts as much as it can; and becauſe there is an outward good in it; therefore the men of the Common-wealth commonly eſteeme it highly. But now the Church ſtriveth for the price of the high calling of God in CHRIST, *Phil.* 3. 14. and bendeth her hopes and thoughts without ceaſing to the fruition of a better life: the Church doth not poſſeſſe the outward goods of the World, but onely maketh uſe of them. Neither doth ſhee eſteeme the World as her owne Countrey, &c. 1 *Cor.* 7. 29, 30. 31. Therefore the Church is called by another name, *ſcil.* the City of God, *Pſal.* 87. 3. *Rev.* 21. 2. and ſhee hath her converſation in Heaven, *Phil.* 3. 20. ſhee ſaith with CHRIST, *Joh.* 8. 30. *My Kingdome is not of this World.* This difference then betweene Church and Common-wealth, requireth diverſe Governours: they that governe the Church are by a common name called Miniſters, they that governe the Common-wealth, are called Magiſtrates. Condition.

Both the Magiſtrates and the Miniſters, receive their power from CHRIST, who was both King and Prieſt. The Magiſtrate receiveth the Civill power, the Miniſters receive Eccleſiaſticall power, CHRIST being God and Man, is the Authour of both powers. Miniſters in Divine things depend not on the Magiſtrates, nor the Magiſtrates in humane things on Miniſters.

Both Miniſters and Magiſtrates have the ſame beginning, *viz.* from CHRIST, who ſaith to all Miniſters in *Peter*, *Feede my ſheepe*, *Joh.* 21. 16. *and to all people* hee ſaith, *Give to Ceſar that which is Ceſar's*, *Matt.* 22. 21. All power from Chriſt.

By this that hath beene ſaid, it appeareth, that the Civill and Eccleſiaſticall Government reſiſt not one another, but the one is fit for and ſutable to the other. Neither yet are they They croſſe not, yet differ.

they confuſed as *Romane Biſhops* ſay, who would uſurpe both Eccleſiaſticall and Civill government to themſelves; whereas in the new Teſtament, no man ought to bee both a Miniſter and a ſecular Magiſtrate.

Yet the Civill and Eccleſiaſticall Government differ ſome wayes, as namely:

Power. Firſt, The Civill Government hath authority and power to compell men: the Church Government is but a ſervice or ſimple miniſtry. CHRIST being head reſerveth authority in himſelfe; *Luk.* 22. 25. 26. *Yee ſhall not exerciſe Lordſhip, but hee that is chiefe, ſhall bee as him that ſerveth.* 1 *Cor.* 3. 5. 21. and 2 *Cor.* 1. 24. and 4. 5. *We preach not our ſelves, but* CHRIST IESUS, *and our ſelves your ſervants for* CHRISTS *ſake.* 1 *Pet.* 5. 3. *The Elders muſt not bee Lords over Gods heritage, but examples to the flock.*

Subject. Secondly, The proper ſubject of the Civill Government, is the matters of this World, as the life, body, ſtate, credit of the ſubject, &c. whereas the proper ſubject of the Church Government are matters holy and divine, as thoſe which God hath neceſſarily required to the ſanctification of our ſoules and conſciences; and alſo ſuch as the honeſty and order of the Church require to bee ordained and obſerved. A King is not properly the Rector of the Church, but of the Common-wealth, yet hee is the Defender of the Church. The Civill power hath not onely direct authority in temporall matters, but alſo indirect authority for the right ordering Eccleſiaſticall matters, eſpecially over Miniſters that doe not rightly performe their duty to the Church; 2 *Chron.* 24. 6. 8. 11. 12. *Ioaſh* gave order for the repaire of the Temple, and gave order eſpecially to the Prieſts and Levits about it, that too much neglected it. 2 *King.* 12. 4. *Iehoaſh* likewiſe gave order to the Prieſts for the repaire of the Temple, and after required an account, and reaſon why it was not done. But the Miniſters of the word of God are ſo exerciſed about Divine matters, that they are prohibited to meddle with ſecular buſineſſe. Indeed they may touch upon ſuch things out of a charitable office,

office, but not out of any Sacerdotall power.

Against this, is objected the example of the Priests of the old Testament, and of the Prophets, who not onely touched upon the Common-weale matters, but mannaged the greatest imployments thereof? *Obj.*

But this, they did either by expresse command from God, as when *Elisha* annointed King *Iehu*, 2 *King.* 9. or by some extraordinary leave, the publike safety of the State requiring it. *Sol.*

Thirdly, The proper end of the Civill Government, is the preservation of Civill society amongst men: whereas the proper end of Church Government, is the preservation of the communion of Saints, *Act.* 2. 42. and 4 32. *End.*

Fourthly, God would have his Church in this World subject to the Civill Magistrate, that it might looke for its owne Kingdome in the Heavens, where at length it shall raigne, but not to rule here, till it come to its head there. *Place.*

The Common-wealth hath a Kingdome, which beginneth and endeth here in this World. Thus CHRIST would have his Church Ministry a service, not rule; thus for the difference. The good God of power so rule us all here, that wee may rule with him hereafter.

For conclusion, though wee conceive, this is the truth according to CHRIST IESUS for the maine and substance of it, containing all the orders and particulars in it, which CHRIST Instituted as essentiall and perpetuall, yet wee shall rejoyce to see it rectified in any particular circumstance by the quicker sighted. And hope this our offering towards the Lord his building, will bee accepted: Goats haire was welcome of old. *Exod.* 25. 4. and 35. 6. *Conclusion.*

This is indeed a point, that should bee studied by such, as would and should bring in CHRISTS Government amongst us, for that which any study themselves, taketh most impression in their mind. Yet herein, such should bee sure to read the soundest Orthodox Authours, for that many there are fowly corrupted, though they beare a faire shew.

Many pamphlets are thruſt out, ſome to little purpoſe; ſome too too preſumptuous, and wee feare offenfive to your Honours. Wee hope this worke will no more offend, then CHRISTS owne inſtitution of old. Wee Miniſters conſecrate the bread and wine, but by declaring the firſt inſtitution of it: And how ſhall we declare by writing or preaching the holineſſe of our Church Government, but by ſhewing the Lords own inſtitution of it? Let us not liſten to thoſe that weave the web of their owne inventions, but cleave to CHRIST and his Goſpell, having our eye mainely on CHRISTS owne inſtitution, as in the Word and Sacraments, ſo alſo in Diſcipline.

Why the word workes not now.

Mightily did the word of God prevaile in the primitive times: And ſome bleſſing, the Lord pleaſed to beſtow on his ordinances amongſt us till of late; but now ſince corrupt Government waxed more ridged, changing the Lords ordinances and conſtitutions for humane inventions, the Lord hath almoſt wholly left his houſe and forſaken his heritage, becauſe of this plague raigning and ruling in it, ſo that few, few now a dayes are wrought upon by the word. Which of us would or could have any joy to ſtay in his owne houſe, if we might not rule and beare ſway there; but ſtrumpets muſt order all, and that quite croſſe to our owne minds, entertaining ſtrange Lovers as *Iſraell* did. Which moved the Lord to leave them to themſelves, and ſo to bee a prey to their Neighbour Nations. The maine occaſion was, becauſe they ſet up Kings and not by him; they erected an other Government then ever hee appointed. Alas! they which goe after humane diviſes, come together in their owne name, not in the name of CHRIST: *Calv.* on *Matt.* 18. 20. Wherefore now our laſt Petition is, that the Church may bee ſo ordered, that CHRIST may come into his houſe againe. Let Buyers and Sellers bee whiped out, if leſſer adoe will not ſerve. Let not Bryers and Brambles any longer beare rule, but the tale Cedar and fertile Olive. So ſhall all the godly,

ly, that have lately hid themſelves, creepe forth as Bees out of the Hive in this faire Sunny-day, and comfortably labour for that, which is ſweeter then the hony and the hony combe; heartily praying as to bee delivered from Tyranny ſo to bee kept from confuſion.

FINIS.



P.P. London, Special Passages K. 23

CERTAINE

Speciall and Remarkable passages from both Houses of Parliament, since Munday the 22. of *August* till Friday the Twenty Six 1642.

Containing these particulars, &c.

1. *Of Letters from Yorke to both Houses of Parliament truly informing the proceedings of the Councell of War left there by his Majesty, And of a verdict agreed upon by the Grand Jury to compell the Coun-ty to raise forces to maintaine the Commission of Array.*
2. *Informations from both Houses of Parliament, to the Deputy Lievetenant there, to raise the forces of the County to suppresse the said Councell of War, & all such as shall goe about to compell the Countrey to raise forces*
3. *Of Letters to both Houses from Coventry, being a true and perfect relation of the quitting of the Cavaleeres from before Coventry, and the taking of Captaine Legge prisoner.*
4. *Of his Majesties returning backe to Nottingham, and remove from thence.*
5. *Of a Commission granted by his Majestie to the Marquis of Hartford, to raise forces to suppresse the pretended Rebellion of the Earle of Essex.*
6. *Of two Declarations from his Majesty in answer to the Parliament, of very high consequence.*
7. *Of the seizing of a great quantity of Armes and other provision for War at Sir John Heydons house in the Minories.*
8. *Of the seizing of a 1000. pound neere Somerset house, intended to be sent to his Majestie.*
9. *More Letters of News from Kent, of the Proceedings of Captaine Browne and his Company.*
10. *Letters of extraordinary good news from Ireland, Informing of Colonell Lesly being in Ireland with the Scotch forces.*
11. *Of Letters informing the present state of things at Portsmouth.*
12. *Of certaine Informations that his Majestie hath set up his Standard at Nottingham.*
13. *Of the outragious behaviour of the Caveleeres to the Inhabitants there.*
14. *Of Letters from Northampton. Informing the state of things there.*
15. *Of the Scotch Commissioners tender of assistance to the Parliament.*

August: 26. Hen Elsyng Cler. Parl. D. Com.

London, Printed for Francis Leach *and* Francis Coles. 1642.

Certaine Speciall and Remarkable passages from both Houſes of Parliament ſince Monday the 22 of *Auguſt* till Friday the 26. 1642.

Tueſday the 23. 1642.

BOth Houſes received more letters from divers Gentlemen in *Yorkſhire*, further Informing them of the proceedings of the Earle of *Cumberland* Lord Generall for the North-parts, Sir *Thomas Gleming* his Subſtitute, and the Councell of War left there by His Majeſty; That they have made propoſitions to a Iury Impannelled by them, of the Malignant and inconſiderable party of that County, to maintaine the Commiſſion of Array, and to raiſe an Army of Horſe and Foot there, with the aſſiſtance of other Counties, to compell His Majeſties Subjects to yeeld obedience to the ſaid Array, and to oppoſe all ſuch as endeavour for the Ordiannce of Parliament. That the ſaid Iury have delivered their Verdict upon the ſaid propoſitions for their aſſenting to the ſame, and that they are juſt and warrantable, and ought to be put in execution in that and in all other Counties of this Kingdome. Which Verdict hath been alſo tendered to His Majeſty, who hath declared his approbation of the ſame, with warrant to the ſaid Councell of War, ſpeedily to put the ſame in execution, and that His Majeſtie would live and die with them in the maintenance thereof.

Whereupon both Houſes taking into conſideration the great prejudice that muſt needs fall upon the ſaid County of *Yorke*, by being compelled in ſo unjuſt away to raiſe forces againſt the Parliament, who of themſelves are ſo firme and conſtant to the

Parlia-

Parliament, and the great diſturbance the ſame would breed in other Counties, if it ſhould take effect there.

Tooke Order therefore for the ſpeedy ſending of Commiſſions to the Deputy Lievetenants of the County of *Yorke* appointed by the Parliament, to raiſe the force of the County to ſuppreſſe the ſaid Councell of War, to oppoſe and hinder the execution of their illegall propoſitions, and to apprehend all ſuch as ſhall go about the ſame, and to ſend them to the Parliament to receive condigne puniſhment.

And they alſo Ordered, that 10000 men formerly appointed to be ſent to *Hull*, ſhould be diſpatched with all convenience, and to march into *Yorkſhire* to be ayding and aſſiſting to the Deputy Lievetenants, for the end aforeſaid.

The Houſes alſo received Letters, Informing the true ſtate of things at *Coventry*; That His Majeſtie continued his ſiege and Battery againſt the Towne, from Saturday, till Monday laſt.

That the Cavalliers with their Peeces of Ordnance having Battered downe one of the Gates, the Townſmen to prevent their entrance, ſtopped up the paſſage with Harrows, Carts, and peeces of Timber, and with great courage forced the Cavaleers (notwithſtanding their Ordnance) upon every attempt towards the Gate, ſoon to retreat, and that with ſome loſſe.

That the Lord *Brooke*, the Lord *Grey*, Son to the Earle of *Stamford*, with their Troops of Horſe; Maſter *Hollis*, and Mr. *Hampden* Regiments of Foot, and the other Forces formerly related of, according as was appointed, came to *Southam*, within tenne myles of *Coventry* on Monday night laſt, and intended to Bilet themſelves there, but that upon intelligence of a falſe Alarum that the enemy were within a myle or two, they marched out into the fields, where they lay all night without meat or drinke, & the next morning eſpied the enemy, who had removed their ſiege from before *Coventry* upon information of their comming, and placed themſelues in a Valley ſome two myles from *Southam* for a pitch'd Battell. Whereupon the Lord *Brooke* and Company drew up their forces to the top of the hill, put their men into a poſture, placed their Ordnance, and let flye at them, there being

very hott Skirmish on both sides for about an howre long, his Majestie continuing with his Forces in the feild all the while of the first and second onsett, but then perceiving his forces were likely to have the foile, left them, and with some Lords in Company went to *Nottingham*, where he remaines for the present.

The Lord *Gray* behaved himselfe most valiantly in this incounter and deserves much honour for his vndaunted courage, bee with the other forces so plyed the Cavelliers with very thick and hot charges, their young Soldieurs being so full of courage and eagernesse to the Battell, that the Cavalliers who ere-while boasted they should prepare Rodds to whipp their breeches withall were now glad they had the benifit to take flight from their fury, which they did with such leagernesse, having lost great number of their men, (without any losse of the other side) that for hast they left their Ordnance behinde them, which the Lord *Brookes*, Lord *Gray* and other forces sezed upon and also took there cheife Agent Captaine *Legg* prisoner.

The Kings forces are now gott to *Leicester* bemoning their bad successe which doth much dishearten them from any further attempt.

The Lord *Brooke* and the other forces are now marched towards *Warwick* Castle to serve that place, and intends to have about with the Earle of *Northampton* if he can be met withall.

There was a coppy of a Commission presented to the Houses from his Majesty to the Marquesse of *Hartford* of a very large extent and power for the raising of forces aswell Trained bands as others, within divers Counties of England and Wales, to suppresse all such Rebelious Forces as his Maiestie conceives is raised against him, and to kill and slay all that oppose him.

There was also presented to the Houses, a Declaration of his Maiesties to maintaine the Commission of Array, another in answer to a declaration of both Houses, full of high Language and bitter invection against the Parliament, and the Earle of *Essex*; Terming them Rebells and Traytors, Commanding all his Officers and Subjects to Ayd and assist the Marquesse of *Hartford*, (Lord Generall) the Earle of *Northampton*, and their complices

the

the Lord *Dunſmore*, Mr. *Henry Haſtings* Sir *John Stowell*, Sir *Ralph Hopton*, Captaine *Digby*, and ſome others (all of them Accuſed by Parliament for high Delinquency, and ſome of treaſon) in their executing the Commiſſion of Array, and in raiſing of forces to oppoſe the Earle of *Eſſex*, Lord *Say*, and all others as ſhall raiſe any Forces by Authority of both Houſes, and to apprehend them and their adherents, as Traytors.

Both which Declarations the Houſes being informed are now Printed at *Cambridge*, and diſperſed up and downe the Counties and at *Oxford*, by meanes of the Vniverſitie, to ſow ſedition and further diſtraction in the Kingdome, tooke great offence at the ſame; And Ordered that the Printer thereof, ſhould be forthwith ſent for, and brought to exemplary puniſhment, and that the ſaid Declarations ſhould be referred to a Committee to conſider of.

There was ſearch made in divers ſuſpected places about *London* and the Suburbs, by the Trained Bands, and great ſtore of armes and Ammunition ſeized upon in divers places, which was put in ſafe Cuſtody, thereby to prevent the treacherous Plotts of the Papiſts and malignant party againſt the City or Parliament, but more eſpicially upon ſearch made in the Minories neer the tower at Sir *John Heydens* houſe, one of the Maſter of the Ordnance, and now with his Majeſtie, there was ſtore of Armes, and Ammunition found of an extraordinary quantity, ſufficient as is conceived for the better part of 10000. men, there was alſo above a 100. great Cheſts of Piſtolls, Carbines, Granadoes, Firelocks, Darts, Wildfire, and other Engines of Warre, 50. Waggons, a 100 Wheelebarrowes, great ſtore of Pick axes, Spades, ſome Carriages, and 2. or 3. peeces of Ordnance.

All which by order of the Houſes is to be taken from thence and laid up with the other ſtore at *Leaden-hall*.

There was alſo a thouſand pound in moneys ſeized upon at the Princes Cutlers neere *Somerſet houſe*, which was packed up to be ſent to His Majeſty, but now to be employed for the Parliaments uſe; the parties with whom it was found, refuſed to diſcover whoſe money it was, fearing that might prove more prejudiciall than the loſſe of their moneys.

There

There came certaine intelligence by Letters from [illegible] that Prince *Robert* is landed there with great ſtore of Arms, Amunition, and moneys; but making too much ſpeed thence to His Majeſty, he hath broke one of his Arms by a fall from his horſe.

There came alſo more Letters from Captain *Browne*, the noble Citie Captaine; informing that he now intended (having received more ſupply of men from *London*) to place a ſtrong Griſon at *Rochſter*, and *Chatham*, and march with the reſt of his Company towards *Maydſtone*, to oppoſe the Commiſſion of Array, which he hears is intended to be put in in execution there ſuddenly, and to make ſearch for Arms in all ſuſpicious places he comes by.

There was alſo information by Letters from *Ireland*, of an extraordinary great overthrow given to the Rebells in the North-parts of *Ireland*, there being about one thouſand of them ſlaine in one Battell by the Proteſtant forces, and Arms taken from them for two thouſand men, beſides other prize, and 12 Lords of the *Pale* taken priſoners.

It was alſo informed that Colonell *Leiſley* is of certaine come over to *Ireland* to the *Scotiſh* forces, whoſe preſence was long expected amongſt them.

The Earle of *Warwicke* ſent Letters, informing that he had taken a ſmall Hive laden with powder, piſtolls, and other proviſions for War comming from *Holland*, intended to be ſent to His Majeſty.

He alſo informed of the preſent ſtate of things at *Portſmouth*; that the Parliaments forces have built a ſtrong Fort upon the Bridge foot before *Portſmouth*, and planted Ordnance there, and the Countrey have layd ſuch ſtrong ſiege all about before the Towne, that there can be no ayd to relieve Colonell *Goring* by Land, nor dare he make any ſally forth of the Towne, by reaſon of the Troopers. And the Earle of *Warwick* hath placed the like Guard of Ships by Sea, to prevent all paſſages; whereby the Colonell is ſo hem'd in on all ſides, that it is hoped he will not long keep his hold, the Caſtle; the Townſmen more and more diſreliſhing his proceedings.

There

There was alſo credible information by Letters from *Nottingham*, that His Majeſty hath ſet up His Standard there, and hath about three hundred Souldiers to Guard the ſame, and hath been under it himſelfe three ſeverall days, and made Proclamations for all his Subjects to come in unto him there, to ayde and aſſiſt him to ſuppreſſe the Earle of *Eſſex* Rebellion.

But the Countries are ſo well ſatisfied of the juſt and legall proceedings of the Parliament, in granting Commiſſion to the Earle of *Eſſex* to raiſe forces. That there hath not beene as yet a 100 perſons come in to His Majeſty ſince the ſitting up of the Stadard.

It was alſo informed that the Cavalliers have cauſed divers honeſt men in *Nottingham* to be committed priſoners to the Caſtle for refuſing to aſſiſt them, or part with their Arms to them; and have offered great violence to others, and tooke their Arms from them by violence, and plundred their houſes, and carried away their goods.

There was alſo information from *Northampton*, that they feare the Cavaliers next attempt will be againſt that Towne and therefore deſire there may be ſome peeces of Ordnance ſent to them they being now at worke day and night, to fortifie the Towne and have made excellent workes to preſerve the Walles, and have raiſed ſix Squadrons of Fortification before the Towne there being ſome peeces of Ordnance Ordered by both Houſes, to be ſent to them according to their deſires.

The Scottiſh Commiſſioners have beene with both Houſes of Parliament, and delivered a Declaration of the whole Kingdome of Scotland of their readineſſe and willingneſſe to aſſiſt the Parliament with any Ayd that ſhall be required of them, which Propoſition was very thankfully received by the Houſes, and they appointed a conſultation to conſider what Ayd ſhall be thought neceſſary to be deſired of the Scots.

FINIS.

IN

D

D

TH

Aug

24

CERTAIN INFORMATION FROM DEVON AND DORSET: CONCERNING THE COMMISSION OF ARRAY.

Augiſt, 27. printed for *H. Blunden*. 1642.

CERTAIN INFORMATION FROM DEVON AND DORSET:

THE COMMISSION OF ARRAY

August 7. printed for H. Blunden. 642.

LOving Brother, I desire to relate unto you something from hence. The last weeke Master *Ashford* came to Town with Master *Culme* the Sheriffe, and by all probability to reade the Commission of Array, for they brought it with them, and produced it, and made Warrants to send abroad, for the stopping of our Mustering this weeke, and sent for our Constable to publish them, and they had some clause of the Array in them, very strange ones they were, as ever were knowne; But our Constable, *Walter Challis*, would not reade them: yet after many jeares, and proud and peremptory words of theirs, especially from Master *Ashford*, hee tooke one of them, and by advise, sealed it up, and sent it to Lieutenant *Bamfield*. Wee expected an hot day, for here was present also Master *Ickland* of *Culme-John*, of the same party, and Master *Willoughby* of *Pey-Hemby*, but Master *Willoughby* would not set his hand to the Warrants by no meanes, but went away before them. And Master *Saint-Hill* sent hither his Sonne in Law, Master *Hankcock*, a young man that lives in house with him, we suppose to carry backe newes of what was done, for he did the like at *Exon* Assises the weeke before, he sent this Gentleman out to meet the Lord of *Bathe* when he came to *Exon* with his Commission. Besides, wee the more suspect Master *Saint-Hill*, for that he would have had in all the Armes of his Parish into his owne custody, being their Captaine: And hath in his house at

this present, three Ladies come to his house the last weeke, with some two or foure Cart loades of Provision, some say Munition too, besides much Cattle, they came out by Sherborne, and wee suppose Master *Coventry* is at his house, for hee sent privately to Master *Sanders* to be there, but he would not entertaine him because of his Children, and we suppose him therefore either at *Bradmuch*, or at Master *Chanons*. Wee fearefully expected the Lord of *Bathe* here, with the Cavaliers, to second this project of Master *Ashfords*, and the Sheriffe: wherefore we had extraordinary Warding, and our Townes men shewed a great deale of undaunted courage, and opposed them very much, both in word and deed: and Master *Prowse* shewed excellent valour and wisdome herein, and is made Captaine, and incites the whole Parish mightily, and taketh care for the fencing of the Towne with Walls, and Chaines, and Ordnance: *Thomas Sumpter* also is a very great instrument of good. *Hunnington* men, and *Avotry* are exercised to day, and so are to passe away for Sherborne: *Taunton* men are gone already, and our men are to be mustered on Thursday next, Baronet *Prideaux* is our Colonell, wee are likely to have many Volunteeres out of this Parish. We are very sorrowfull Marquesse *Hartford* is so great an enemy to us, my Brother can informe you of that at Sherborne better then my selfe, and of Sommerset I believe you have heard, and I feare we may have too much to informe you of here, for this Towne is envyed very much, both by Master

Ashford

Aſhford now, the Sheriffe, and the confederate Papiſts thereabout them, we believe, but eſpecially by a ſtrangers lodging here at *Henry Skinners* this quarter of this yeare for ſhelter, he anſwered the Juſtices, that hee is a Darby Shire man, and *Thornecombe* he named himſelfe: but (now I thinke on it) you know him, by all probabilities hee ſhould be a Jeſuit, a Rebell of Ireland, or a diſcontented Cavaliere, for he hath ſhewed himſelfe ſo, and the whole Towne and Pariſh doe thinke ſo of him now; for the beſt affected at length queſtioning him, he began to bee very miffe, and told ſome at his going away, (which was at the beginning of the rising in the North) that he would remember them, when they did thinke he was dead and gone, and his own brother was in the head of the Rebels there, and indeed we doubt him to be chiefe of the Troopes hereabouts. Hemb-fort hath been watched day and night, fearing they ſhould take that place, the whole Country by turne have done it: And Sir *Tho: Drew* is very much againſt this Array, grounding on that wiſe mans ſpeech in Parliament againſt it, and ſayes it is altogether illegall, and will die upon it, and when occaſion ſerves, we believe he will ſhew it, as about the Hill he hath declared his minde already, and he hath much Armour in his houſe, enough for 30. men at leaſt.

Maſter *Saint-Hill* ſayes theſe Ladies are come for ſhelter, becauſe of the troubles at Sherborne, but we doubt him, becauſe of the Armes which the Pariſh boldly oppugne him in, and reſolved to ſet a Watch about his houſe when theſe came.

Your very loving Brother,

Collomptonii, Aug. 22. 1642. T. M.

Dorſet, Auguſt 22. 1642.

THE Marqueſſe would faine remove to the King, but feares his intercepting, therefore offers the Countrey to remove if they will afford him a Guard for his ſafe convoy, but it will not be granted by the Counties; they have beene much preſt unto it by the Juſtices and Gentry, for the moſt part of our Gentry are for the King: Wherefore the Marqueſſe hath given out his Warrants this day to the Juſtices to bring in the Traine bands to him, or to have them in readineſſe to keep the peace, he ſtanding upon his Guard in the Caſtle, where he makes great proviſion, being in feare that he may be ſoone ſet upon by the Earle of *Bedford*, and he hath but two pieces of Ordnance in the Caſtle, and about 400. very good Horſe, and not aboue 100. Foot as yet come to him: I wiſh the Marqueſſe go not from thence, for that there is very great and haſty proviſion made and intended againſt him. We have 6. pieces of Ordnance in our Towne, beſides 2. Morter pieces, and three ſmall braſſe pieces, and to morrow is expected 2.

great

great pieces more from *Lyme*, many Horſe ſent in hither, and a thouſand men expected from Devonſhire; and its thought that the Earle of Bedford will ſhortly be at Sherborne with neare 20000. the Marqueſſe is ſaid to expect the King very ſpeedily for his aſſiſtance. *Lime*, *Waine*, and *Poole* doe fortifie themſelves againſt the Cavalieres.

Your very loving Brother.

H. L.

FINIS.

A

True and perfect RELATION

Of the first and victorious Skirmish between the Army under the Conduct of the Right Honourable the Lord *Brooks*, the Lord *Grey*, Collonel *Hampden*, Collonel *Hollis*, Collonell *Cholmley*, and others Members of the Honorable Houses of Parliament; consisting of 6000 foot, and 300 horse, with nine peeces of Ordnance.

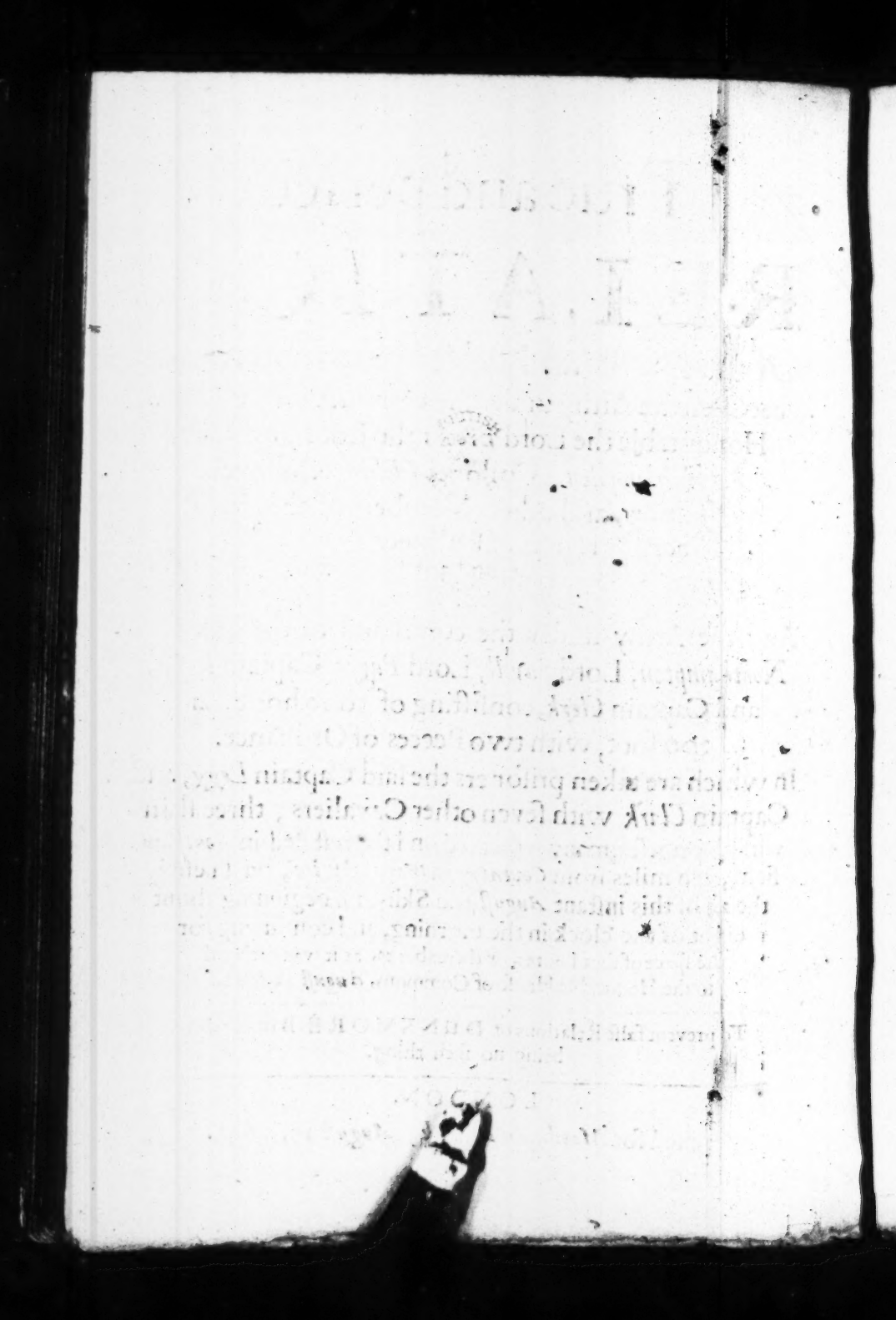
And the Army under the command of the Earle of *Northampton*, Lord *Savill*, Lord *Paget*, Captain *Legg*, and Captain *Clerk*, consisting of 5000 horse, and 300 foot, with two Peeces of Ordnance.

In which are taken prisoners the said Captain *Legg*, and Captain *Clark* with seven other Cavaliers, three slain with five horses, many wounded, and the rest fled in *Southam* field, ten miles from *Coventry* in *Warwickshire*, on Tuesday the 23 of this instant *August*; the Skirmish beginning about eight of the clock in the morning, and continuing for the space of four houres, or thereabouts, as it was declared to the Honorable House of Commons, *August* 25 1642.

To prevent false Relations of DUNSMORE Battaile there being no such thing.

LONDON,

Printed for *Matthew Walbanck*, *August* 27. 1642.



A true and perfect Relation of the first and victorious Skirmish between the Army under conduct of the Right Honorable, the Lord *Brooks*, the Lord *Grey*, Col. *Hampden*, Col. *Hollis*, Col. *Cholmley*, and others, members of the honorable Houses of Parliament; and the E. of *Northampton*, L. *Savil*, L. *Paget*, and the rest of the Cavaliers in *Southamfield* in *Warwickshire*.

THe long suspected and expected dangers that this Kingdom was ever likely to fall into, through the wicked and desperat Desiges of the Malignant party, agitated, and endeavoured to have been by them and their Agents put in execution against the Government of this Commonweal, & the high and great counsell of Parliament, thereby endeavouring to bring the same into an Arbitrarie and tyrannical form of Government, wherby the subject shold be governed, not by the known & undoubted Laws of the Land, but by the wils and pleasure of persons for the time being most in favour with the Prince, which at length must needs prove the confusion and destruction of the very essence, and being of this so long famous

and flouriſhing Commonwealth, this fruitfull and powerfull Iſland, which hath been a terrour to its neighbouring Nations, and a ſtrong protection to its Alliances; theſe deſperate deſignes I ſay of the enemies to peace and vertue that have been kept ſilent and privat ever ſince the ſitting of this moſt happy parliament, and fearing the little fruit might ariſe from them if ſo continued, are now diſcovered, and the authors and contrivers thereof have now uncaſed themſelves, and ſtrive by outward force, and cruelty to compaſſe that which their ſecret plots and ſtratagems could not effect, and for that purpoſe have now raiſed Arms under his Majeſties Name, which the wiſdome of the parliament to prevent and ſuppreſſe, hath likewiſe by power of parliament raiſed a force of noble and well affected ſpirits, whoſe only aimes and intentions are to preſerve the peace of the Kingdome, the royall perſon, Crown and dignity of his Majeſtie, parliaments and the priviledges thereof, Subjects liberties, and the fundamentall Laws of the Land, and no other, and over them have made the Right Honorable *Robert* Earle of *Eſſex*, Lord Generall of the Foot, and the Right Honourable the Earle of *Bedford*, Lord Generall of the Horſe, & under the ſaid Lord Generall of the Foot, was the Right Honourable the Lord *Brooks*, Lord *Sey*, Lord *Grey*, Collonel *Hampden*, Collonel *Hollis*, and Collonel *Cholmley*, ſent with an Army conſiſting of 600 foot and 300 horſe into *Warwickſhire*, againſt the Earle of *Northampton*, and his complices to reſcue *Warwick* Town and Caſtle, *Coventry*, *Banbury*, and to preſerve the peace of the Country againſt any that ſhall diſturbe

ſturbe the ſame. The Occurrences that happened to the ſaid Lord and his Army in their Journey is my intention here truly to relate, to the everlaſting praiſe and honour of thoſe worthy Commanders in the ſame.

The Lord *Brookes* with his Army, being upon the March for *Warwick*, his Commiſsion being to ſuppreſſe all that ſhould oppoſe him in his journey, and to apprehend them, and ſend them to the Parliament as Delinquents, arrived with his Army at *Southam* a Market towne in *Warwick*-ſhire about ten miles from *Coventry*, where his Lordſhip with his Army intended to lodge all night, and had taken up his lodging, and his ſouldiers billeted for that night, had beſpoken their ſuppers; But report being made to his Lordſhip, that the Towne was not well affected to the Parliament, that the Earle of *Northampton* with his Army had lately kept Rendevous there, that the Miniſter of the Towne was a man of very evill and diſſolute converſation, and had ſuſtained in his houſe many Cavalieres at his owne charges; Whereupon it was commanded the ſaid Miniſter ſhould be apprehended and his houſe ſearched, which was done accordingly, the Souldiers finding much Ammunition, as Saddles, Muſkets, and powder, which they ſeized & took away. After which, before that their ſupper could be provided, it was reported to the Lord *Brooks*, that the Earle of *Northampton* was within two miles of the Towne with his Forces; Whereupon a Proclamation was proclaimed through the army with the beating up of Drums, that every ſouldier ſhould

preſently ſtand to their Armes; upon hearing wher-of, ſuch magnanimous ſpirits were the ſouldiers, and poſſeſſed with ſuch a ſudden paſsion of joy, that their Enemies the Cavaliers were ſo neere, that they gave a great ſhout with flinging up their hats, and clattering their Armes, that the Towne rang againe with the ſound thereof, and caſting aſide all deſire of their meat, and lodgings provided for them, went immediatly into the field adjacent to the Towne in their armes ready for battell, where they continued till the morning, their beds being the ground, although it was a ſharpe cold night, which nothing daunted them, but rather animated them with courage againſt the approach of their Adverſaries.

In the morning early they were called to their Armes, being placed in compleat Battell; Colonell *Hampden* placing himſelfe like a Noble and valiant Champion with his Regiment in the fore-front of the Battell, placing their nine peeces of Ordnance in the face of the enemy, where every ſouldier in his ſtation continued till about eight of the clocke expecting their foes.

At which time came into the field the Earle of *Northampton* with his forces, where ſtanding oppoſite, expecting each minute the word of Command to give fire, but none being given on his part, the word was given by the Lord *Brookes*, and Collonel *Hampden* his Regiment diſcharged with ſuch courage, as the enemy at the firſt onſet were ſtricken with feare and terrour, yet three times they diſcharged their two Peeces of Ordnance upon the very

very body of our Army, but not a man hurt through the great providence of God, (It being ſtrongly preſumed that his Majeſty with the Prince was in the field) but perceiving the reſolution of either ſide to try it out, departed with the Prince towards *Leiceſter*, leaving both ſides to the event of the skirmiſh) upon which command was given on our ſide to diſcharge one of the peeces of Ordnance which was charged with Musket bullets, which in the ſcattering, many of the adverſe party were dangerouſly wounded, a Drummer with two other ſlaine, and ſuppoſed many others were ſlain, five very good horſes being found dead, but that they conveyed the dead bodyes into a River adjacent, that their number might not be knowne, upon which hurt done by our ſide on the enemy, the Foot fled, and Captaine *Legg* one of the Captaines of a troope of Horſe, having the Colours of the Prince which was Greene, and ſtraying from his Company, came to one of our Companies, whoſe Colours were alſo greene, by which meanes hee was alſo taken, which he perceiving, ſwore God dam him he was bewitcht, in that hee could not know his owne Colours from ours; In the flight was Captain *Clarke* alſo taken, and ſeven other Cavaliers, the field in which they fought being much beſprinkled with blood, by which they conceived many of the adverſe party were ſlaine. To this Skirmiſh came many out of *Northamptonſhire*, *Warwickſhire*, *Buckinghamſhire*, to the aſsiſtance of the Lord *Brookes*, Collonel *Hampden*, and their army,

in

in this skirmish was very little or no spoile taken of Armes or other provision.

After which the Countrey round about brought in much provision of victuall to refresh the Army, which having done, they returned into *Sowham*, where they stayed the rest of the day and that night, & the next morning marched forth toward *Coventry*, where they were joyfully entertained, and yet remaine till they heare further from the Parliament.

And thus much of this first and successfull skirmish by the Lord *Brookes*, and the rest of the worthy Commanders in his Army, one thing more I thought necessary for the incouragement of the Souldiers of the Parliament; in this skirmish a Bullet out of one of the Peeces of the adverse party came over the Lord *Brookes* his head but mist him, which shewes the protection of God is over them in this their just cause, which I shall alwaies pray may goe along with all that take up Armes for the safety of his Majesties Parliaments true Religion, and the Lawes of the Land, *Amen.*

The Parliament being informed of Marquesse *Hertfords* intention to come and assist *Goring*, sent away Sir *John Merricks* Regiment, and one Troop of Horse, which upon Tuesday last joyned with the rest of the Forces before *Portsmouth* as also did a Trained Band of *Hampshire*, joyntly with the other Forces, to oppose Marquesse *Hertford*, and his strength, in case they should come: And its writ, that the Saylors very suddenly intend to scale the Walls in one part, Sir *John Merricks* Regiment in another, and the *Hampshire* men in a third place, all at once, and the Horse to second the execution and successe of the service.

Ordered to be forthwith Printed and published.
Hen. Elsynge, Cler. Parl. D. Com.

FINIS.

of
ght
ny,
ght,
ey,
te-
t.
ir-
or-
I
he
l-
ty
m,
em
ay
he
n,
in-
ef-
ab
he
ch,
rs
a
ti-

26.

Exceeding Ioyfull Newes FROM IRELAND,

Or a true discovery of the present Estate of that Kingdome at this present.

Wherein is declared what Townes of Note, the *English* have taken from the Rebells in severall Seiges since the last Forces went over.

Namely,

Limrick.	}	*Droghede.*
Waterford.	}	*Kilkennie.*
Wickloo.	}	*Waxford.*
Ackloo.	}	*Colerane.*
Clogham.	}	*Manahom.*
Galway.	}	*Garmaston.*

Also a true Relation, by what meanes the Castle of *Limrick* was taken by Captain *Bartlet*, a Scotchman, to the great wonder of all the *English* Army, the Forces in the Castle being seven thousand, and hee but five hundred foot, and one Troope of Horse.

Ordered to be printed, *Ion. Bron. Cler. Parl.*

London, Printed for *T. Rider*, *Aug.* 27. 1642.

Exceeding Joyfull Newes

FROM

IRELAND,

Of a late discovery of the practice

That the King and the

Wherein is declared what Towns

Rebells in Severall Seiges have

Their Forces went from

Names.

Limerick.	}	Dresden.
Waterford.	}	Kells-mire.
Portdoo.	}	Wexford.
Ardee.	}	Clonmore.
Drogheda.	}	Monaghan.
Carlow.	}	Carnarfee.

Also a true Relation, by whom Duncan the Cas-
tle of Dundrick was taken, by Captain Hartly, a Scotch-
man, to the great wonder of all the Rebells Army, the
Forces in the Castle being seven thousand,

Price 6 d.

Ordered to be printed, Jan. 8to. 1642.

London, Printed for T. Bates, Aug. 27. 1642.

Ioyfull Newes from IRELAND.

SIR,

THE ſeaſon ſuiting my deſire, having found ſo fit an occaſion to ſend to you, I thought good things being for the preſent ſo well with us, (by Gods bleſſing, and the valour of our ſmall forces) to give you a true information in what Eſtate the Kingdome is in at this preſent.

Many Townes of indifferent ſtrength wee have taken from the Rebells. Namely theſe, *Drogheda* taken by Captaine *Chriſtopher Loftus* with the loſſe of twenty five men, the Rebells looſing neere three hundred.

Likewiſe taken by the Lord *More*, who

beate the Rebells, and tooke ſtore of Munition which the Rebells were forced to leave behind them, by reaſon that the Towne was too hot for them.

Wick'oo, and *Waxford* taken by young *Charles Coots*, ſonne to that valiant (and deplored) Commander ſir *Charles Coote*, *Colerane* taken by the Deputy Preſident of *Munſter*.

Ak'oo taken by the Lord *Grandeſon*, who in that ſervice was ſhot through the left thigh, entering a breach.

Clogh an was taken by Captaine *Gibbs*, *Malnuth* was taken by ſir *Richard Greenevill*, *Galway* and *Garmaſton* having beene beſieged long by the Rebells, was releived by the Earle of *Ormond*, Leivtenant Generall of his Majeſties Forces. As for *Lymrick*, that was a place which did do much hurt to our proceedings, being ſo ſtrongly fortified by the Rebells, that though our *Engliſh* forces had made many attempts againſt it, yet they were repulſt, and forced to retreate as vanquiſhed.

Nevertheleſſe it pleaſed God to bleſſe us, that he put it into the heart of Captaine *Bartlet*,

let, a Scotch Commander, to frame a project, and to put that project in execution.

For on ſatterday the 9th. of *Auguſt*, the ſaid Captaine *Bartlet* came to my Lord Lievtenant Generall, and deſired him that he would bee pleaſed to let him imploy five hundred men, and a troope of horſe, in a deſigne againſt the Caſtle of *Limrick*, withall promiſing confidently, that hee would take the Caſtle, or upon the fayling thereof hee would looſe his head, the Lord Lievtenant being loath that a Commander of ſuch worth ſhould engage himſelfe in a deſigne of ſuch probable danger, and improbable to proſper, uſed much perſwaſions, deſireing him to avert his intention, ſince an attempt upon that Caſtle ſo ſtrongly fortified muſt of neceſſity prove the ruine of him and his Company, withall intimating that if hee ſhould receive a defeat by the Rebells, and bee loſt in that deſigne, it would give an occaſion of incouragement to the Rebells, and bee a meanes to diſhearten the *Engliſh*, who were in great want of ſuch noble and well diſpoſed Commanders as himſelfe.

Notwithſtanding all this the ſaid Captaine *Bartlet* would not be perſwaded but that hee ſhould take the Caſtle, which the Lord Leivtenant ſeing, gave way to his deſire, withall giving command that five hundred of the propereſt and forewardeſt men ſhould be aſſigned for him, and ſir *Richard Greenevills* Troope of Horſe, which hee having received, marcht preſently away from the Army to a little village, which they had that day plundered, where hee cauſed them to ſearch for all the Trouſes and habits of the *Iriſh*, with which he habited one halfe of his men, making them appeare juſt like *Iriſh* Kernes, having ſo done, he out of that part of his men which remained elected thirty muſquetiers which he placed, (being befriended by the darkneſſe of the night) on the backſide of the Caſtle in a deep ditch, giving them command not to ſtirre till they ſee the *Iriſh* forces out of the Caſtle. Likewiſe his troop of horſe he placed in a little grove, which was of one ſide of the Caſtle, ſome three Bowes ſhots off, having thus placed his men, and giving them directions what they ſhould doe, hee ſent out thoſe that were habited

habited like *Irish* men, to walke round the Caſtle, and to waite till that hee ſhould come up to charge the Caſtle.

The day appearing Captain *Bartlet* led on his men and beat a feirce *alarum*, which the *Iriſh* in the Caſtle ſeeing, began ſtraight to arme themſelves, but on the ſudden they ſee the ſuppoſed *Iriſh* come to their reſcue, for the diſguiſed *Engliſh* ſeemed to charge Captaine *Bartlet* very fiercely, onely with powder to be ſhot, after a little time ſpent in this ſeemeing combate, the *Engliſh* falling down thicke and threefold, lying as if they were dead, and the reſt flying, which the Rebells ſeeing, ſtraight iſſued out of the Caſtle, purſuing the *Engliſh* that fled, not once noting or medling with thoſe that lay on the ground as dead.

Which the 30. Muſquetiers ſeeing roſe, and with all ſpeed ſeiſed on the Caſtle, killing thoſe that were the guard, who were unprovided of defence being overjoyed with their ſuppoſed victory.

The Troope of horſe clapt in betweene them and the Caſtle and the ſuppoſed dead men roſe and charged them cutting them off without

without mercy, ſo that they at that time kild above 3. thouſand of the Rebells, and tooke many priſoners, not looſing above three men, only ſome few hurt, this is a reall truth, and the true manner of his taking the Caſtle of *Limrick*, for which ſervice he is ſo admired, that the ſouldiers are greedy to goe with him upon the moſt deſperate deſignes.

Thus it pleaſeth God to fight for us, and wee doubt not (were the preſent diſtractions of *England* once compoſed) and more ayd ſent over, we ſhould quickly reduce this Kingdome to its former obedience, and baniſh all thoſe blood-thirſty *Papiſts* out of the Land.

This is the ſumme of all that hath happened lately, or is worthy my paines or your knowledge.

Onely I deſire you in requitall to retaine me the chiefe Heads of your proceedings in *England*, for now *Engliſh* newes is as much longed for here, as *Iriſh* newes was lately in *England*.

I received a letter from *Chicheſter*, which informed me that my Lord Deputies ſonne was taken priſoner at *Portſmouth*, and ſent up to the Parliament, pray ſend me word whether it be true or otherwiſe.

FINIS.

R

of t

Made

Court

sp

W

Lon

A true and exact 27

RELATION

of the present estate of the City of

NORWICH,

Made known to the High and Honorable Court of *Parliament*; by way of Petition, for the speedy prevention of eminent dangers, which from other Countries and places examples hath bin too apparently seen.

August 25. 1642.

TOGETHER

With the manner and happy successe of the Lord *BROOKES* Forces, in their pursuit of the Cavileers from *Coventrie*.

Likewise several VOTES *in* PARLIAMENT.

London printed for *D. Bradley*. *August* 27. 1642.

REMONSTRATION

of the present State of the

NORWICH

Made known to the High and Honorable

Court of Parliament, by way of Petition, for the

Redress of Grievances.

TOGETHER

With the humble Address of the

Lord Bishop of Norwich, &c.

Presented to the Commons

House assembled.

BRITISH MUSEUM

A true and exact Relation of the present estate of the City of Norwich.

THe daily growing evills and almost desperate diseases which have overspread the whole body of this Kingdome, both in Church and State, do paine us so sore as members thereof, and fills us with such fears as that we can no longer refraine from making the same known to your Honours. But shewing that after we had lien under a great burthen in our Religion by a multitude of frivolous, ridiculous and unwarranted Ceremonies, pressed with the vehemencie of suspencion, excommunication, and deprivation of many godly and painfull Ministers, vexing and grievously oppressing of great multitudes of others of his Majesties good Subjects, so that they were enforced to flye the Kingdom, and in our civill rights by a multitude of Monopolies, by the impositions of illegall taxarions, by illegall imprisonment, by oppressions and cruelries, in censures of Courts of Justice, as if Government had been set free from restraint of Lawes, and as if that malignant party who were the authors thereof (as we verily beleeve they did) intended the undermining and utter subversion both of Religion and Liberty all at once: We hoped upon the assembly of this Parliament, thereby as the only means under God to have enjoyed a perfect reformation in both, but finding the same as hitherto not perfected by reason of the causes of these our evils (as we conceive) are not removed, which put us in fear of falling into a relapse more dangerous then in the first disease. The Causers and Authors of all which evills are by the Remonstrance of the House of Commons declared, to be the Jesuited Papists, the Bishops, and cor-

rupt part of the Clergy, bad Counſellors and Courtiers, and their late practices doe give us good cauſe to beleeve the ſame; as namely that helliſh damnable Rebellion, ſavage and bloody cruelty of the Papiſts in Ireland, the late Proteſtation of the Prelates in England, which did ſtrike at the vey eſſence and being of Parliaments, and many other plots and deſignes which have been lately diſcovered and attempted upon the Parliament, no leſſe dangerous then the former; the endeavours of ſome ill affected ones to ſet diviſion between the King and his people, and to render them odious to his Majeſtie, who are his loyall and faithfull Subjects. And that which now dampeth our ſpirits, makes ſad our hearts, takes away the life of our trading, breeds ſcarceneſſe of money, brings on ſuch poverty as we can ſcarce keep the poor from mutiny, and filleth us with fears, ſuch as haſten on apace even to deſperation, and make many people to mutter, and ſpeak it out, that they account thoſe perſons enemies to the State, who are oppugners of thoſe good things which tend to the generall good and ſafety of the Land, is, the not proceeding to bring to condigne puniſhment the troublers of this our Iſrael, the not diſarming of Papiſts, and the execution of the Laws againſt them, and the Jeſuits, of whoſe perfideous treachery this Kingdome hath had experience enough, and cannot be ſtrong untill they be made weake; the delayes of ſending aid to the Proteſtants in Ireland, whilſt the Rebells increaſe their ſtrength and ammunition from forraine Nations, ſo that they begin to think for tranſporting themſelves hither, and make this Kingdome the ſeat of their war; for which neglect we may juſtly fear the curſe of *Meroz* to befall us, the not putting of the Kingdome into a poſture of defence, placing the Caſtles, Forts, and Magazines of this Kingdom into ſuch hands as the King and Parliament may confide in,

in

in thes times of eminent dangers, when ſuch diſtractions are in the land; the Papiſts and malignant party ſo exaſperated, the Rebels in Ireland ſo ſtrengthened, ſuch preparations for wars in foraigne Nations, who emulate our Religion, and that incitation which they have by the counſell of ſuch delinquents, who have fled from the Juſtice of this Kingdom, and intelligence of our diſtempers from them who yet remaine amongſt us; the ſtopping of many good Lawes tending to the ſecurity of the Kingdome conceived by the Houſe of Commons, not yet brought forth, but ſtifled in the birth, and made abortive, notwithſtanding the unceſſant and unwearied labours and endeavours of the renowned Houſe of Commons, who repreſent the perſons of Us, and the reſt of the Commons of this Kingdome, who are truely ſenſible of our evills, as ſeeing with our eyes, hearing with our ears, and acting with out hands, the maintenance of whoſe warrantable actions and proceedings, in which the honour of the King, and the ſafety of the Kingdom conſiſteth, with our lives, eſtates and fortunes, we account our ſelves bound by the Proteſtation by us lately taken, & ſhall be ever ready thereunto.

wee humbly deſire your Honours will be pleaſed to joyne with the Houſe of Commons, in the ſpeedy redreſſe of theſe preſent evils both in Church and State; and in uſing effectuall meanes for prevention of thoſe which be eminent; that a ſtrong Navie, the wals of the Kingdome be provided, where our adverſaries may be diſhartned, and we better ſtrengthned for defence; that the Votes of Popiſh Lords (who as we conceive hitherto, have bin great obſtacles) may be removed; means may be uſed to his Majeſty, that he will be pleaſed to

returne; that ſo his Royall Preſence, ſo often as need be, giveliſe to your endeavours, that the Locuſts, the Vermin and Caterpillers of Egypt, who have endeavored to devoure our Religion, conſume our Peace, and deſtroy the good things of this Land, may with one blaſt of King and Parliament be overthrown & drowned in the red Sea of Juſtice; and that Religion may be eſtabliſhed in the purity both of Doctrine and Diſcipline; ſo ſhall the Kings throne be eſtabliſhed in peace; and the Land ſhall be at reſt.

And your Petitioners ſhall ever pray &c.

The manner and good ſucceſſe of the Lord *BROOKES* Forces in purſuing the Cavileers from COVENTRY.

SIR,

I Give you a ſhort, but true Relation of what paſt yeſterday, being the 23. of *Auguſt*, between the Cavileers that lately left their breach made at *Coventry*, to their ſhame and loſſe, and to the great diſhonor of their Maſter, not daring to enter it; and the thrice noble & valiant Lord *Brooke* Commander in chiefe of thoſe Forces, ſent by the *Parliament*, for the reliefe of the diſtreſſed in *Warwickſhire*, *Northamptonſhire*, *&c.* The Cavaleers being come to *Dunſmore* Heath, from the aforeſaid City, and the Lord *Brooke* drawing neer to them, each underſtood by Scours of the neerneſſe each to other; the Lord *Brooke* intended to have repoſed himſelfe, his wearied Troops and Regiments after their

their long March; but understanding that his enemies were upon retreat, he forthwith advanced, & in the morning early, having set his Army in order, planted a Canon in a place most convenient for to anoy the enemy, let flye at them, and made such a lane, that the enemy was so long in re-ordering, that they thought they would not have made head againe, but at last they did, and made good the fight for 8. or 9. charges each upon other; the Parliament party let flye another Canon among the Infantry, who were about 200. and as is conceived, many were slain; at last the Cavaleers left the field, taking all their dead and maimed with them · in this encounter not one of the Parliament party was killed or hurt; but on the other many: Captain *Leg* was taken prisoner, and some others.

Of the Lord *Brookes* side some twelve were wounded by the firing of some Powder, and one shot himself through the foot with his Pistoll, and another his fellow through the back: the Messenger will be gone, otherwayes I would inlarge, in telling you of the wonderfull courage & shouts of joy the Parliament party made when they came in sight of the Enemy, and that all the worke of the Commanders was to order them, and keepe them backe, all of them being desirous to be of the fore-most hope, if they could. Likewise I should tell you of the joy of the Country people, that those that pillaged and plundred them, are now met withall. The Kings Majesty went the night before to *Leicester*, and thence we conceive will Northerly; but we hope, what by pursuit of the Parliaments Army, and the courage of the Countrey people, most of the Cavaleers will not be able to overtake him. When a more exact Relation can be had, I shall send it, in the interim I rest, *Yours*.

VOTES

VOTES.

Upon Master Prideaux *report from the Committee, for the* Post-masters, *It was resolved upon the Question, That the Taking of the severall Letters in this Case from the severall Carriers, and the severall restraints, imprisonments of* Dover, Chapman, Cotton *and* Mackarel, *is against the Law and Liberty, and freedome of the Subject.*

Resolved, &c.

That these severall persons ought to have Reparations and Damages from Sir John Cooke, *and Sir* Francis Windebanke, *then Secretaries of State, and Master* Witherings *respectively.*

Resolved, &c.

That Sir John Cooke, *Sir* Francis Windebanke *and Master* Witherings *are Delinquents.*

The Lords and Comons in Parliament declare, That all such persons as shall, upon any pretence whatsoever, assist his Majestie in this Warre, with Horse, Armes, Plate or Money, are Traitors to his Majestie, the Parliament and Kingdome; and shal be brought to condign punishment for so high an offence.

Ordered to be forthwith published and printed.

H. Elsynge, Cler. Parl. D. Com.

FINIS.

AN

PR

TR

28

ANNOTATIONS
UPON THE LATE
PROTESTATION:
OR, A
TRUE CHARACTER
of an affectionate minde to
King and *Parliament.*

August. 27.

Feare God and honour the King.

HEre is a command from above by the Supreme power touching himself and his Lievtenant, which Lievtenant of the Lords being his Majestie, whose power comming from above, and being Viceroy to the Supreme, he is to be obeyed in all just commands in obedience to the highest powers, For *the powers that be, are ordained of God, and they that shall resist the powers, resisteth th Ordinance of God.*

And S. *Peter* teacheth us in his first Epistle second Chapter, ver. 13. That we should *Submit our selves to every Ordinance of man for the Lords sake, whether it be to King as Supreme, or unto Governours* as the two Honourable Houses of Parliament, which are called by the King and set up by him for the punishment of evill doers, and for the reward of them that doe well: For so is the will of God that with well-doing you may put to silence the ignorance of foolish men.

Now for he whomsoever he be that shall set himselfe against the Parliament a pleader and great paines taker for the King and Common-wealth, who by them were chosen and with their approbation to stand to their judgement what they shall in their wisdomes doe in our behalfe, I say, he that shall set himselfe in the least manner to wrong a member of that Honourable House of Lords or Commons in their lawfull employments by either of the Houses for the honour of God, and his Religion, safetie of his Majesties person, and the good of his country is an absolute traytour.

For he that will first choose his advocate and then betray him, toucheth the apple of Gods owne eye, and it were better for him that a milstone were hanged about his neck, and he cast into the depth of the sea.

How mad then are those Cavaliers who are without grace, or the feare of the Almighty, which no doubt but are borne in some shires or counties of this Kingdome, and have both Knights of their shires and Burgesses of their Corporations to stand for their good and welfare as well as for the good of the

the very wives of their owne boſome, and children of their owne bodies, we muſt not then kill theſe men, ſeeing we have choſen them for our ſubſtitutes in Parliament, we muſt not hurt them, God forbid we ſhould; and they that ſhall go about or attempt, or adviſe upon ſuch ungodly actions, tending to the wrong of his bleſſed Majeſtie or the Parliament, how ſhall they thinke or looke to eſcape the vengeance of Eternall fire, for S. *John* in his firſt Epiſtle, Chap. 3. ver. 15. ſaith, *Whoſoever hateth his brother is a murtherer, and ye know* (ſaith he) *that no murtherer hath eternall life abiding in him*; and in the ſecond Chapter of the ſame Epiſtle he ſaith, *If any man love the world, the love of the Father is not in him*, and if the love of the Father is not in that man that loveth the world, then ſurely the Father hateth and abhorreth that man that will ſet upon his neighbour, brother or countryman, and kill him out of a meere love to the things of this world, and for the things of this world, abſolutely the men of theſe courſes love not God nor his Religion, if they ſay they doe, they are lyars; S. *John* in his firſt Epiſtle, Chap. 4. ver. 20. ſo ſaith, *For he that loveth not his brother whom he hath ſeen, how can he love God, whom he hath not ſeen?* Now to run againſt the 6. Commandement of God Almightie wilfully is no ſmall ſin, and to kick againſt ſo ſtrong a thorne iſſuing from ſo great a hand.

And whoſoever he be, that ſhall not grant his Majeſtie his right, and that which doth truly belong unto Cæſar is an abſolute enemie to the King and Common-wealth, and a ſower of ſedition, for our Saviour Chriſt himſelfe ſaith, *Give unto Cæſar that which is Cæſars, and to God that which is Gods*, that is

that which belongeth to the Lord in his due Worſhip, and that to him muſt be given; and that which is the due of the people, they ought to have by the very ſame rule of our Saviour Chriſt: for he that would have Cæſar have his due, wils alſo that God in his members ſhould have their right alſo, the one as well as the other, the Lord is ſo merciſull that he would have both have their due rights without going together by the eares, and they that doe otherwiſe are Phariſaicall like, making a queſtion what belongs unto Cæſar, and what not, as if people being maſters in Iſrael and knew not theſe things, which if they did not, then they were not liable to the cenſure of our Saviour Chriſt, who telleth all and every one that knoweth the will of his maſter and doth it not, ſhall be beaten with many ſtripes; and what ſimple Gentleman is there in combuſtion and in traitoriſme, ſetting his Majeſtie againſt the Ordinance of Parliament, but is ſenſible of a Conviction by law and guiltie of high treaſon againſt the State, and that moſt palpably; for he that will chuſe his friend in truſt for him in Parliament, in hope of his fidelitie to him, as well as for his owne ſelfe, wife and children, and if any of theſe men or counties ſhall riſe up againſt any of his or their Parliament men *advocates*, or any of his neighbouring counties advocates and Parliament men, and not be content to ſtand to the judgement of their beſt endevours, and to helpe them againſt all their oppoſites and againſt the quall and unworthy perſons, they are muchto be blamed, and traitours to the State, who will not juſtifie and aſſiſt the Houſes of Parliament in their Councels and judgements againſt all oppoſition,

ſition, contrary to the Law of the Kingdome.

And Saint *Paul* for his part he wiſhes them to be marked that are the cauſe of the diviſion both in the Church and Common-wealth, and they that trouble the true Proteſtant Religion, the way to everlaſting life; the very ſame Apoſtle wiſheth, they were even cut off.

And to trample upon the Crown, which God forbid any one ſhould, it is to touch the Lords anointed, and there is an expreſſe command againſt this from the Lord, who ſaith, *Touch not mine anointed and doe my Prophets no harme*: and no honeſt man will doe this, that is, to wrong his Majeſty, for if his Majeſtie hath not his immunities, how ſhall we be ſettled in our proprieties.

It is againſt reaſon and civill honeſty for Judges to take all the right that is due to them to be ſure, and not to allow their Neighbours their juſt rights and priviledges. Or is it equitie for a Taylour to looke on one ſide of him, where his hell is under his ſhopboard to throw his piece of ſilver-cloth, he hath over and above his Maſters worke, and not looke on the other ſide of him to thinke it is his Cuſtomers, he muſt not take it, which to doe is blindneſſe without ſeeing honeſty.

Now for as much as his Majeſty and the Parliament hath tyed themſelves each to other in an *Abraham*-like Covenant, not to paſſe the limits of their own bounds, in which they have ſet and tyed voluntarily their own ſelves, and hath erected to all the world in print a Proteſtation to that purpoſe and both parties interchangeably by ſolemn vowes and promiſes in the preſence of Almighty God hath

vowed to ſtand faſt and to ſtick in honour each to other, till life ſhall depart; and that they will hold the one to the other for better for worſe, for richer for poorer, goods and all laid down in the Covenant of their promiſe one for the other, for the maintenance of the true Proteſtant Religion, and both their Honours, ſafetie, and Priviledges each of other: And if theſe two new betrothed turtle Doves by ſo ſolemn a vow made between themſelves, ſhall peck one at another, as they begin too much to doe, (God of his mercy help them) and be impatient one with another, and not keep their bills out of anothers eyes, they will too much wrong themſelves, like man and wife who quickly and too often forget themſelves in their matrimoniall Contract, and by their long jangling at laſt part, and lay the key under doores and run away. So if the King and Parliament ſhall forget their ſo ſerious Proteſtation, vow and profeſſion one truly taken for and in the behalf of the other, in declaration of the tenderneſſe of honour and true affection each to other, and now not bearing one with another in love, nor ſubmit in this pleaſant knot of agreement in mind each with the other like *Abraham* and *Lot*, this were deplorable, (ſaith the Divine) and wonderfull. Here the Vncle for quietneſſe ſake ſubmits his honour in his hoary hairy head to his greene headed Nephew with a motion that there may be no falling out becauſe (ſaid he) we are Brethren.

So his Majeſtie and his Honourable Houſes of Parliament what an eaſie matter were it for theſe two Turtle Doves, ſympathizing in affection, ſay but ſo much as *Abraham* and *Lot* did one to the other, and why

why, becauſe by faith ſurely Brethren in Chriſt; all then would be ended if but this ſpirit of humilitie were in them both. There was a very low ſubmitting ſpirit betweene the *Scots* and us, and ſhall not there be the like between his Majeſty and his neereſt people; will his Majeſty be worſe to his owne and beſt loving people than the *Scots*. And if we ſhall fall out upon earth will not the Father in Heaven be angry, who hath ſent his Goſpel of peace amongſt us teaching of us that if poſſible, we ſhould have *peace with all men*, will it not then diſpleaſe the Lord that we have learned no more Religion, nor be no more endued with faith and patience, but goe together to ſhed the bloud one of another, to the ſhame of our Nation, and hiſſing to other Kingdomes, let it not *be told in Gath, nor publiſhed in Aſhkelon*. Theſe beginnings of warre on neither ſide are fruits of the Spirit, it may be thought, for *the fruits of the Spirit are love, patience, meekneſſe, forgiving one another, forbearing one with another*. And let it be remembred what *Abner* ſaid to *Joab, ſhall the ſword devoure for ever, how long will it be ere thou call back the people from following of their Brethren, knoweſt thou not that it will be bitterneſſe in the end?* ſo it is wiſhed by the people of the Lord, that *bloud touch not bloud*. And Sir *Benjamen Ruddyards* ſpeech is excellent to this purpoſe and worthy of note, the Parliament undoubtedly will not doe amiſſe to hearken to thoſe grave lines and worthy ſpeech of his.

His firſt Speech was for Religion, and the feeling of the Church of God, in the very firſt place of all but it is not I thinke a man may be bold to ſay, followed.

Now

Now his ſecond Speech is againſt ſhedding of bloud, the defiling of the Land. To have a whole Land defiled with blood, a moſt wonderfull and deplorable thing; and Chriſtians bloud is of a deepe dye, were it amiſſe then if green heads would take gravitie along with them in all their actions, who moſt reſemble the Image of their maker, and hoary hairs is a crown of glory being found in the way of righteouſneſſe; and to heare a grave old religious and wiſe Gentleman ſpeak and giving advice and inſtruction, it is as it were, if ſeriouſly conſidered, God Almighty himſelf in a Crown of glory giving good counſell to the younger. Was it not the Lord himſelfe ſpake with the people of Iſrael in the mouth of *Moſes*; and was it not the Lord in *Joſeph* ſpake unto his Brethren concerning his bones, and was it not the Lord in *Solomon* which ſpake unto the people concerning the building of a houſe to his name; and certainly it is the Lord that ſpeaks from the mouth of wiſe and grave righteous men to the yonger ſort to learne wiſedome.

And if a Crowne of glory ſhall not be heard ſpeak who can one better hear; Green heads deſire to be heard, ſome for their owne ends, and ſome for their owne applauſe in the world, but an auncient grave man ſpeaking, queſtionleſſe looks not either for favour, or affection in the right hand or on the left bnt ſtrait forward becauſe he is going forward to God Almighty to receive his pay for the pains of his labour whoſe works ſhall follow him.

And ſo much for the hearing of gravitie: Now for that we have taken a Proteſtation, every one ought ſeriouſly to conſider the burden of a vow is upon

upon us, and that vow too, in which is included that we ſhould endeavour and ſtudy the peace of the three Kingdomes, and yet notwithſtanding now ſo ſolemne Proteſtation in the ſight of God and man, touching amitie and peace in this our Kingdome, yet there is a thouſand times more rumours of wars now then before our Proteſtation. What were we like *Peter*, ſtrong in the faith when we made this Proteſtation, and now when we ſhould ſtick cloſe to it, be weak like *Peter* not remembring we have made a Covenant with the Lord, not onely to hate Idolatry and to decline from it as much as in us lyeth, but alſo includes the undertakers thereof every one that he ſhould ſtudy and labour for peace ſo much as in every one of us lyeth, and ſeriouſly conſider of our Proteſtation, and be ever and alwayes, now and then looking upon it, and look up unto our Saviour Chriſt as he lookt back upon *Peter*, and pray to him that we may keep our reſolution.

And it is very good for the Cavaliers about the King ſeriouſly to conſider of it and ſo to doe, or otherwiſe any that ſhall attempt his Majeſty to take up armes againſt his *Parliament*, and aske themſelves if they have not taken the Proteſtation, if not, it were good they did, and not divide themſelves againſt the body of the Kingdome by flattering of his Majeſty to goe againſt his *Parliament*; and they that have taken it, let them conſider a vow is upon them.

Apparantly the Marqueſſe of *Harford* and Lord *Paulet* hath broken down the ridges of their ſo ſerious Proteſtation, in breaking of his Majeſties peace in falling upon the Yeomanrie in *Somerſet-ſhire*. Now what more diſpleaſing to God Almighty than

breach of Covenants and of peace one to the other, when they ſhall take the Lord to be a witneſſe againſt them of their untruths one to the other; then what a caſe are thoſe Gentlemen in, (let them call themſelves to remembrance) that are with the King and the Marqueſſe of *Harford* and the Lord *Paulet*, who have broken the Covenant of peace before God and the people; and them that doe intend the leaſt thought of diſhonour to the Kings *Parliament*, have they not ſeriouſly taken the Proteſtation, in which is included the peace of the Kingdome, honour of Religion, King and Parliament, and the vow and proteſtation taken for the honour of the one, is the ſame vow and proteſtation for the honour of the other; and they that ſhall vow, and yet in ſhew hold for the honour of the head, and not the body, diſhonours the head by flatterie, by endeavouring to ſet it off from the body by ſeditious and evil counſell, and they that goe about any ſuch thing, doe greatly diſhonour their Countrey and Kingdome, whoſe own houſes by ſinne is laid waſt, ſo they would have others alſo; For the Head hath called the body politique of the Kingdome together, deſiring the ſame to be joyned to its head for its help, comfort and lifting of it up in his ſtraits, who was ready to fall, and weary with holding up, looking upon the *Scots*, like *Moſes* hands againſt the *Amalekites*, that *Aaron* and *Hur* was faine to take the pains for him to hold them up; and now the *Aarons* and the *Hurs* of our Kingdome being called upon the Mount, I mean to the *Parliament*, to conſolate and lift up the head of our Soveraigne, and ſo long as our *Aarons* and *Hurs* are upon the Mount, and our Head and Soveraign lyeth his

his head upon their ſhoulders they by the bleſſing of God will bear him out of the bitter waters of *Marah*, and ſweet ſhall be his reſt. I will flatly forbid the bloud-thirſty Cavaliers ſay ſo much, upon whom if his Majeſty repoſe, 'tis to be feared it will be but a pillow of briars and thorns beſpatted with bloud. Now if there be any that ſhall be ſo ungodly that hath taken this Proteſtation for the honour of King and *Parliament*, and yet ſhall performe but halfe his vow, and half his worſhip and honour, but to one inſtead of both, who have indeed inſeparably united themſelves by their ſolemn vow and Proteſtation which no way they can reverſe, and ſeek to take away his Majeſties favour and affection from his *Aarons* and *Hurs*, and from repoſing upon his own Parliament, perſwading of his Majeſty to hearken to the dammee blades of the time, the way of undoing his Kingdome, they may goe and take *Ananias* and *Saphira* by the hand, and it is thought ſome have taſted of the ſame ſuddain death they did; And my Lord Marqueſſe, it is conceived, hath very hardly leapt this pit-fall, and if *Paulet* ſcape and many more, they have great cauſe to magnifie the mercy and patience of God towards ſuch wretches.

And for Kings, *Solomon* he ſaith, It is an abomination for them not to hold and keepe Covenant, vowes and Proteſtations. And hath not *Spaine* made her ſelfe more hatefull to the Kingdome of *England* and other Nations, nay to the very Heathen by the breach of her truce and Covenants, then ever otherwiſe ſhe would have done, this verifies the truth of the word of the Lord, which ſaith, *It is odious for Kings to lye.* And in the 5. of *Eccleſ.* it is ſaid, *It is*

better for a man not to vow, than to vow and not to pay, for God taketh not pleasure in such kinde of weake Protestations, nor people who are rashly taken up with the mouth, and no more think upon them with hearts, but bids us *pay that which we have vowed*; And I pray God we may all so doe, and that the Lord may delight in us to doe us good.

And this by the way, he is the true hearted man that is for the King and Parliament, and all other are meerly insinuating and wicked flatterers, aiming at a little deceitfull favour to accomplish their owne ends, which at the best is bad enough, as my Lord of *Straffords* was, who with all his deep councell holding so much against the Common-wealth, and endevoring to bring in an Arbitrary government, contrary to the liberty of the Subject, went to the grave without his head, a wise man would think it a very faire example to keep out of Princes books, and be not so vile as to advise Kings against their Subjects, from whom they have under God their daily bread both King and ill flatterers too, therefore the Common-wealth ought to be loved not hunted nor laid in ambush for: And if the Kings blessed Majestie and his honourable Houses of Parliament did but seriously consider of their new Matrimoniall knot and Covenant in which they have so solemnly tyed themselves by their owne free vowes and joynt consents each to other, and what faithfull Protests and Promises they have made one to the other and for the other, which I beseech God of heaven they may doe, and lay the Protestation both of them to their hearts, and but weigh their actions one as well as the other, and their words together,

gether, it will ſurely cauſe no more falling out, but aneerer uniting of Prince and people together in love, when they ſhall looke and freſh call to remembrance what new Covenants the Head and the members have made for the honour and ſafetie one of another, all which may be eaſily done in laying of the Proteſtation in print before them, then fall out they cannot, nay with leave they dare not.

A Proteſtation is taken, and vowes are made on both ſides, but are they not caſt behinde the backe, and out of ſight out of minde. I remember the Miniſter ſaid when the people were a taking the Proteſtation, that they ſhould each of them buy one of them, and ſticke them up in ſome places of their houſes, which I conceive from him was after the manner as God commanded the Iſraelites to doe with his Lawes, to the end that they might be ever now and then a looking upon them, that ſo they might better remember and think upon them in the field, and in the houſe, what a ſolemne vow, promiſe and Proteſtation they have taken in the preſence of Almightie God that thereby they might be the better put in minde to keepe them: and when this ſhall be ſeriouſly pondered and conſidered of, with *Cain*, though he longs to have his fingers knockle deep in his brothers blood, as ſome have had too too much alreadie, could be able to ſeparate *Ruth* from *Boaz*, *Shem* from *Japhet*, the King from his faithfull Ones the Parliament; the Royall Head from ſo amiable a bodie, *ecce ſignum*, their paines and money with the hazard of their deareſt blood, and ſequeſtring of themſelves from their deare wives and ſweet Children, to attaine and win, and bring home their belo-

ved King who is led away by the wild boares of the Forreſt, to the mountaines of Lebanon, Shinar and Hermon, where they keep him in the Lions den and among the mountaines of the Leopards.

Notwithſtanding the bodie Politick hath wooed along time the Head to come in and to be joyned to the ſame, that it may not be miſcarryed, nor loſe out of it that rich gliſtering Diamond which yet praiſed be God ſticks faſt to it, even Ireland.

I remember very well what a Scottiſh Miniſter ſaid in *Delph* long ſince, and I cannot hold it in, That when a King or people refuſe to heare Councell and advice, and refuſe the harkning one to the other to be adviſed one by the other, it was he ſaid a ſigne God had appointed ſome deſtruction there, I beſeech God it be not ſo now here among us, for the King will neither heare nor be adviſed by his Councell, nor his Councell will not heare nor hearken to the ſeverall Declarations of the King, but be at ſo great diſtance one from off the other, as if they were afraid one of another, and no body praiſed be God is about to hurt them, if they would be but quiet between themſelves, and it is deplorable to think how that the King and Parliament hath vowed and ſworn each to other in love, and yet ſhould ſo quickly in one twelve moneths forget, as they ſeem to do, their ſolemne tye one to another, and in ſtead of being true and faithfull friends each to other, begin to wrangle between themſelves neere daggers drawing and about that too which ſhould be for both their ſafeties againſt our enemies, even the *Militia*, God of heaven helpe us, is the cauſe of our combuſtion, and God forbid that that which the Lord hath appointed

pointed us for our preſervation ſhould be for our deſtruction.

Now the way to prevent the miſchiefe is that all the Counties of *England* joyne as one man, not croſſing nor wrangling one with another, but as you did all Petition for the *Militia* to the Parliament for the ſetting of your Counties in a poſture of ſafety for the defence of his Majeſtie in theſe troubleſome times, and the Kingdome, ſo you would beſeech his Majeſties favour not to be againſt nor goe about to croſſe his Parliaments proceeding, who ſtudies night and day for his good; and call in his Commiſſion of Array which makes the diſturbance, and his mad Cavaliers which breake his Majeſties peace, and will begger his Majeſtie, if he be not carefull of himſelfe; as his Majeſtie, I hope, will begger the Papiſts who lend him money to undoe himſelfe, and if they could would have him fight againſt the Proteſtants, his loving Subjects, which into my heart it cannot enter, that ſo pious and ſo gracious a King will do ungracious actions too, nay he cannot doe it belonging to God, for the Child of God cannot ſin, and *Paul* in the *Romanes* ſaith, he ſhall not, for he there ſaith, *Sin ſhall not have dominion over him*, where now is then the ſimple Papiſts vaine hopes.

Theſe things moſt humbly are ſtudied not that the chiefe Cedar of this our Lebanon our gracious King, and the other attendant lower Cedar knowes not what is made in Promiſes, Vowes and Proteſtations each to the other, and is paſt betweene themſelves, but this is humbly, as Saint *Peter* in another caſe ſpeakes, to put high and low, rich and poore in remem-

remembrance knowing we muſt ſhortly all leave this tabernacle as the Lord Jeſus Chriſt hath ſhewed himſelfe.

Let us therefore in the feare of the Lord caſt away ſtrife, anger, envie, debate, hatred, bickering, with jeering one at another, and beare one anothers burden in love, and ſo fulfill the Law of Chriſt, and be joyfull Head and members all one in another, and rejoyce together, and I ſay rejoyce.

The truly well affected to the honour and happineſſe both of his ſacred Majeſtie the King, and both Honourable Houſes of Parliament, humbly ſo prayeth T. L.

FINIS.

29

His Majesties Gracious MESSAGE

To both Houſes of Parliament, ſent from Nottingham the 25. of Auguſt, 1642.

By the Earles of *Southampton* and *Dorſet*, Sir *Iohn Culpeper* Knight, Chancellour of the Exchequer, and Sir *William Vvedall*, Knight.



Aug: 27

LONDON:
Printed by Robert Barker, Printer to the Kings moſt Excellent Majeſtie: And by the Aſſignes of John Bill. 1642.

¶ His Majesties gracious Message to both Houses of Parliament, sent from *Nottingham* 25. *Aug.* 1642.

By the Earles of *Southampton* and *Dorset*, Sir *John Culpeper* Knight, Chancellour of the Exchequer, and Sir *William Uvedall*, KNIGHT.

WE have with unspeakable grief of heart long beheld the Distractions of this Our Kingdom, Our very soul is full of anguish untill We may finde some remedy to prevent the miseries which are ready to overwhelm this whole Nation by a Civill War: And though all Our endeavours tending to the composing of those unhappy Differences betwixt Us

and Our two Houses of Parliament, (though pursued by Us with all Zeal and Sincerity) have been hitherto without that Success We hoped for; yet such is Our constant and earnest care to preserve the publike Peace, that We shall not be discouraged from using any Expedient, which by the blessing of the God of Mercy may lay a firm foundation of Peace and Happinesse to all Our good Subjects. To this end, observing that many Mistakes have arisen by the Messages, Petitions and Answers betwixt Us and Our two Houses of Parliament, which happily may be prevented by some other Way of Treatie, wherein the Matters in difference may be more clearly understood, and more freely transacted; We have thought fit to propound to you, That some fit persons may be by you inabled to treat with the like number to be authorized by Us, in such a manner, and with such freedom of Debate, as may be fit and to that happy Conclu-

tion which all good men desire, The Peace of the Kingdom: wherein as We promise in the word of a King all safety and encouragement to such as shall be sent to Us, if you shall chuse the place where we are for the Treaty, which We wholly leave to you, presuming of your like care of the safety of those we shall employ, if you shall name another place, So We assure you and all Our good Subjects, that (to the best of Our understanding) nothing shall be thereun wanting, on Our parts, which may advance the True Protestant Religion, Oppose Popery and Superstition, Secure the Law of the Land (upon which is built as well Our just Prerogative, as the Propriety and Liberty of the Subject) confirm all just Power & Priviledges of Parliament, and render Us and Our people truely happy by a good Understanding betwixt Us and Our two Houses of Parliament. Bring with you as firme Resolutions to do your duty, and

let all Our good People joyn with Us in Our prayers to Almighty God for his blessing upon this Work.

If this Proposition shall be rejected by you, We have done Our duty so amply, that God will absolve Us from the Guilt of any of that blood which must be spilt; and what opinion soever other Men may have of Our Power, We assure you nothing but Our Christian and pious care to Prevent the effusion of blood hath begot this motion, Our Provision of Men, Arms and Money being such as may secure Us from further violence, till it shall please God to open the eyes of Our People.

FINIS.

The Answer of the Lords and Commons to His Majesties Message the 25 of *August*. 1642.

May it please Your Majestie,

THe Lords and Commons in Parliament assembled, having received Your Majesties Message of the 25 of *August*. do with much grief resent the dangerous and distracted state of this Kingdom, which we have by all means endeavoured to prevent, both by our severall Advices and Petitions to Your Majesty, which have bin not only without successe, but there hath followed that, which no ill counsell in former times hath produced, or any age hath seen, namely, those severall Proclamations and Declarations against both the Houses of Parliament, whereby their Actions are declared Treasonable, and their Persons Traitors; And thereupon Your Majestie hath set up Your Standard against them, whereby You have put the two Houses of Parliament, and in them this whole Kingdom out of Your Protection; so that untill Your Majestie shall recall the said Proclamations and Declarations, whereby the Earl of *Essex* and both Houses of Parliament, and their adherents and assistants, and such as have obeyed and executed their commands and directions, according to their duties, are declared Traitors, or otherwise delinquents; And untill the Standard set up in pursuance of the said Proclamations be taken down, Your Majestie hath put us into such a condition, that whilest we so remain we cannot by the fundamentall priviledge of Parliament; The publike trust reposed in us; or with the generall good and safetie of this Kingdom give your Majestie any other Answer to this Message.

FINIS.

A MESSAGE SENT *TO THE* PARLIAMENT *FROM*

The Members of the House of Commons at *Colchester*, informing them of the Passages there, how the multitude doth daily increase, and have plundered the Lady *Rivers* house at *Colchester*, and taken from her the value of forty thousand pound in Money, Plate, Jewels, and other things of great worth; threatning moreover to plunder all the Papists houses in *Essex*, conceiving them to be the causers of the present distractions.

Likwise the coming of the Earl of Southampton *the Ear of* Dorset. *and Sr.* John Culpeper *to both Houses concerning the withdrawing their present forces.*

Also a true Relation of the manner of taking *Dover* Castle on *Wednesday* night *Aug.* 25. by the Earl of *Warwick* and *M. Dukes.*

And the taking of a ship that came from *Spaine* by the Earle of *Warwick* with 600000 pound, seized upon at *Southampton* for the use of the *Parliament*, and Ordered to be brought up to LONDON.

Joh. Brown, Cler. Parl.

Printed for *John Jones. August* 27. 1642.

A MESSAGE SENT FROM *Colchester* to the Parliament, informing them of the Passages there, and how the multitude doth daily increase, and have plundered the Lady *Rivers* her house, taking away from her the value of forty thousand pound in money, plate, iewels, and many other things of great worth,

And how they threaten to plunder all the Papists houses in that Countrey.

Also a true Relation of the manner of taking *Dover* Castle on wednesday night *Aug.* 24. by the Earl of *Warwick* and *M. Dukes.*

THe Houses of Parliament have received information frō Sir *Thomas Barington* and *M. Grimston*, that were sent to *Colchester* in *Essex*, that the multitude of people that gathered themselves together by occasion of Sir *John Lucas* his providing

providing of horſe and ammunition to ſend to His Maieſty, were very much increaſed, and that they were ſo much incenſed againſt the Papiſts, and others ill-affected to the Parliament, that they could not appeaſe them, and that they have plundered the Lady *Rivers* her houſe at *Colcheſter*, and have ſpoiled and taken away from her in money, plate, iewels, and other things of value, to the ſum of forty thouſand pound, withall giving out ſpeeches, and threatning to plunder all the Papiſts in that County, which (they conceived) were the cauſers of all theſe troubles and diſtractions in the Kingdome, and were the occaſions that they, their wives and children were brought into great want and extremity, (by the great decay of trading) and for that they have plotted the ruine and deſtruction of this Kingdome. The occaſion of this multitudes gathering together in this manner was as followeth.

Upon Friday laſt being the ſix and twentieth day of Auguſt, the Houſe of Commons received a Letter from the Maior of *Colcheſter* directed to M. *John Pym* of the Houſe of Commons, declaring the fidelity and good affection of the inhabitants of the ſaid town of *Colcheſter* and other townes thereabouts in that good ſervice they performed for the King and Parliament in taking away the great ſtore of armes and ammunition that were found in the dwelling

ling houſe of Sir *Iohn Lucas* neere *Colcheſter*, and how that a great many Muskets, Piſtols, and Carbines were found ready charged; all which was diſcovered by one Caprain *Lumley*, who forthwith informed the towne thereof; upon whoſe information the whole towne roſe in a great uproare, and within a ſmall time about two thouſand people were gathered together, who forthwith beſet the houſe of the ſaid Sir *Iohn Lucas*, but were denied entrance for a time; whereupon the people were ſo inraged, that they demanded entrance without delay: they that were within the houſe perceiving the multitude without to be too great for them to make oppoſition againſt, opened the gates, where after they had entred, they found twelve Horſes fitted for warre, that ſhould have gone to the King the next day, and two hundred men: Diverſe of them being examined concerning the occaſion of their being there, would confeſſe nothing, but ſaid that they were ſworne to ſecreſie: the people hearing this anſwer, were further inraged againſt Sir *Iohn Lucas*, inſomuch that the Maior was inforced to carrie him home to his own houſe, to keep him from the violence of the people: Herewithall the people were no whit ſatisfied, but rather the more inraged (reſolving either to have him out, or els they threatned to pull downe the Maiors houſe) untill he had ſent him

to

to the commou Goale. The people yet are in great feare and amazement, and continue together in great multitudes, and will not returne to their habitations untill they have further ſatisfaction concerning him. The Maior not knowing what courſe to take with the people, nor how to pacifie them, ſent with all ſpeed to know the pleaſure of the Parliament concerning the ſame. After ſome debate of it in the Houſe of Commons, they deſired a Conference with the Lords, where the ſaid Letter was read, and thereupon the Lords and Commons ordered, that Sir *Thomas Barrington*, and M. *Grimſtone* ſhould goe with all ſpeed downe to *Colcheſter* to appeaſe the people, and to give them thankes for their good affection, and forwardneſſe to aſſiſt the Parliament, declaring to them, that the Houſe took it as an acceptable ſervice, deſiring them to depart to their owne houſes.

Upon wedneſday night laſt the foure and twentie h of Auguſt, one M. *Dukes* a Merchant that was intruſted for the ſecuring of the Caſtle of *Dover* in *Kent*, cauſed ten men, armed with ſwords and Muskets ready charged, to climbe up a ſteep rock (in the dead time of the night) and to draw up ſcaling ladders after them, to ſcale the wals of the Caſtle, to take it and keep it for the King and Parliament. After they had ſcaled the wals and got into the Caſtle,

ſtle, theſe ten Musketiers went to the Court of Guard, conſiſting but of foure men, who at the ſudden appearance of theſe ten men were ſo amazed, that they ſeemed to be in a trance, and demanding of them who kept the keyes of the gate, for feare they directed them to the Porter who kept the keyes, and knocking at his chamber doore, they commanded him to deliver up the keyes to them for the ſervice of the King and Parliament: at firſt he denied, ſaying, he would not: whereupon they would have broke open the doore, and withall threatning to ſhoot him, unleſſe he would deliver up the keyes: at length he gave them the keyes, and preſently they went to the gate and ſent poſt to the Earle of *Warwick*, who lay nigh *Dover* with his ſhips, and immediately ſent them threeſcore Musketiers, beſides forty Musketiers more ready prepared which were ſent from the Citizens of *Canterbury*, who immediately tooke the Caſtle for the uſe and ſervice of the King and Parliament, turning out all thoſe whom they ſuſpected to be ill-affected to the Parliament. Not above two daves after, upon Friday the 26. of Auguſt, the Parliament received information of a ſhip coming from *Spaine* with 600000. pound coming to *Portſmouth*, and finding no means to arrive there by reaſon of the ſhips which the Earle of *Warwick* had laid before the towne, and perceiving no poſſibility

bility of escaping, being descried by the said ships, they struck in to *Southampton*, pretending that they came with other merchandize, but being searched, little was found therein but Bullion, which they said was to be coyned here and so it is thought it shall; for, the Parliament have made stay thereof, and ordered that it shall be brought to *London*.

His Majesty was graciously pleased to let the Houses understand that if they will withdraw their forces, and nominate a Committee to treat with others chosen by him, he is willing to stand to such a treaty of pacification they shall agree on.

The Lords and Commons in Parliament declare, That all such persons as shall, upon any pretence whatsoever, assist His Majesty in this Warre, with Horse, Arms, Plate or Money, are Traytors to His Majesty, the Parliament and Kingdome, and shall be brought to condigne punishment for so high an offence.

Ordered to be forthwith printed & published,

BRITISH MUSEUM

Joh. Brown Cleric. Parliament.

FINIS.

T R

Academ

K C

Beir

Mag

in nu

enco

Lo

Sent i

Lo

said

TRVE NEWS FROM OXFORD

Being a Relation of the Magnificent valour of the Scholars in number 500. compleatly armed; the more encouraged in respect of the presence of the Lord *Lovelace* and Lord *Wilmot*, who for manifold achievements filled them with the Titles of Heroicke Cavaleers.

Sent in a Letter by a Scholar in the Universitie to a brother of his in *London*.



London, Printed for *R. Best.* August 29. 1642.

TRVE NEWS
FROM
OXFORD.

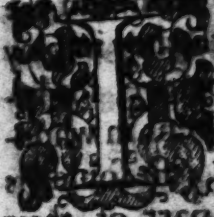
Being a Relation of the

Magnificent valour of the Scholars
in number 500 compleatly armed; the more
encouraged in respect of the presence of the Lord
Lo: Ier: and Lord Wilmot, who for manifold
atchievements filled them with the title of
Heroicke Cavaleers.

Sent in a Letter by a Scholar in the Universitie
to a brother of his in London.

London, Printed for R.Bet. August 29. 1642.

Deare Brother,



for

for here is every day training of schollers with other great preparations for your comming, so that now our schollers have exchanged exercising with their bookes in study, for the practise of their Armes in the field; but to say the plain truth, they imploy themselves better now then before, for before, their whole time was spent in whooring, drinking, and fighting, (for schollers for this cause) but now great part of their time is spent in martiall exercises, but by no meanes will they wholly neglect the other. A while since the University hearing of some of the Parliament forces comming hither, in all hast a judicious Convocation was called, Powder and shot in readinesse provided, scouts sent out, the bridge blocked, strict watch set at the gates, and the City all in armes, but our courageous, valiant schollers most part fled, our great grave Doctors went as fast as they could, some run a foot, some rid to overtake them, not to bring them back or stay them, but much desired their company, most of them disguising themselves for feare of them that intended not

to trouble them, like the wicked in the Pſalm, fleeing when no man purſued them: by which we may take notice what a ſorrie crow a bad cauſe and a bad conſcience is, both which is apparant to all good Chriſtians, they fight to maintaine. We heare that the King will be here very ſhortly and ſet a ſtrong guard on the Univerſity, and ſo to take his journey to *Warwicke*, and here is every day 500. Horſe expected for the Lord *Wilmot*, who is now reſident here to guard the Univerſity, ſo that here is like to be great oppoſition, but what are all theſe being the Lord is not with them, but againſt them: for the beſt things with a Heathen are overcome by the greateſt difficulties, for they are exceeding good things we expect, therefore I cannot expect but the Lord will make us paſſe through ſome oppoſition to gaine them.

But I will acquaint you with ſome more *Oxford* courage; this day the Lord *Hawks* and the Lord *Wilmot* being here, and hearing of the brave Cavaleers His Majeſty was like to have from *Oxford*, came to ſee them with, the

the whole Company consisting of about 500, all bring schollers, which the forenamed Lords seeing, and in so compleat armes acting their postures, they wonderfully applauded this their designe, protesting they would make heroicke Cavaleers; and the schollers answering and protesting they would deserve their good opinion, and that the Round-heads should know, for against them they would spend every drop of blood in their veines, and they made no question but one of them were able to encounter with halfe a dozen Round-heads if they had some there to try their courage once, for they feared not if all the World came against them, and many the like expressions; so that one would have thought if the great Turkish Army were there, they would have conquered them all: but in the interim while they were thus couragiously marching, every one looking like a Son of *Goliah*, there came Troopers making towards them, but how soon the stout courage of these before brave Cavaleers, for they hearing this news,

the

the major part was in ſuch haſte to be gone, that they never ſtaied to examine the truth, or whether they were for them or againſt them, but runne as hard as their heeles could carry them out of the field, leaving field and courage all at once; the reſt being encouraged by the two Lords to ſtand and ſee the event, ſtaid, but with ſuch courage, that each of them were like to fall down in the places where they ſtood, which did plainly appeare by their pale faces, ſo that I am confident had the imagined Trooopers come in ſight, they would have ſhewed them their backes, and made known what ſwift footmen they could (on ſuch an occaſion) be. Thus you ſee the ſtout courage of theſe our *Oxford* Cavaleers being thus terrified by imaginary feares; the Lord ſtrike ſuch terrour into the hearts of all that oppoſe his truth, which we have great hopes God will effect accordingly, if we conſider the parties on both ſides, for all men plainly ſee, that the oppoſers of the Parliament are either Papiſts whoſe Religion is quite contrary to Gods Word, or Atheiſts who have no Religoin, except prophanneſſe be a Religion.

FINIS.

FINIS.

32

A DECLARATION

K England: Of the

LORDS and COMMONS

Assembled in

PARLIAMENT,

That whatsoever Souldier or Souldiers shall breake open, pillage, or ransacke any mans House, under colour that they are Papists, or persons dis-affected (without Command of their Captaine) shall be pursued and punished according to the Law as Felons.

Also

A Speciall Order of both Houses concerning Irregular Printing, and for the suppressing of all false and Scandalous Pamphlets.

Die Sabbathi, August. 27. 1642.

Ordered by the Lords and Commons, that this Declaration and Order be forthwith Printed and Published.

John Browne Cler. Parliament.

August 29. London Printed for *John Wright*. 1642.

A

DECLARATION

OF THE

LORDS and COMMONS

ASSEMBLED IN

PARLIAMENT

That whatsoever Souldier or Souldiers shall break open, pillage, or untrusse any Horse, under colour that they are Papists, or disaffected without Command or Order of Parliament, shall be punished according to the Law as a Felon.

A Special Order of both Houses concerning Printing and for the suppression of all false and Scandalous Pamphlets.

London Printed for John Wright. 1642.

A Declaration of the Lords and Commons Assembled in PARLIAMENT.

WHereas diverse Souldiers have in a tumultuous and violent manner broken into diverse of the Kings Subjects houses, pillaged and ransacked them, under colour that they are Papists-Houses, or the houses of persons disaffected; The Lords and Commons taking the premises into consideration, doe declare and Order, that whatsoever Souldier or Souldiers, shall without the command of the Captaines of their respective Companies, or the Officers of the field, attempt upon, or breake open any houses whatsoever, or pillage or ransacke any house, shall be pursued and punisht, according to the Law as a Felon, And the said Lords and Com-

mons doe require all Officers of the Army to imploy their best endeavours, for the bringing of any such Souldiers that shall commit any of the insolencies aforesaid, to condigne punishment, that they may be severely and effectually proceeded against, according to Law. And the Lord Generall is desired, that this Order may be duely published in the Army, in the head of each particular Company.

W.

Ordered by the Lords and Commons assembled in Parliament, that this Order be forthwith Printed and published.

John Bro. Cler. Parliamen.

Die

Die Veneris 26. Auguſti, 1642.

A ſpeciall Order of both Houſes concerning irregular Printing, and for the ſuppreſſing of all falſe and ſcandalous PAMPHLETS.

WHereas there hath beene of late great diſorders and abuſes by Irregular Printing, to the great ſcandall of Religion and government, and a Bill is in preparation for the redreſſe of thoſe miſchiefes, which by reaſon of the preſent diſtractions cannot be ſo ſpeedily perfected and paſſed as is deſired; It

is therefore Ordered by the Lords and Commons in Parliament, that no person or persons shall Print, publish, or utter, any Booke or Pamphlet, false or scandalous, to the proceedings of the Houses of Parliament, or either of them, nor shall Print, utter, or publish, any Booke or Pamphlet, with the name of the Clerke of either House of Parliament set thereunto, or with any expression, pretence of Order from both or either of the said Houses, without speciall Order from the said Houses, or either of them, or of the Committees of them, or either of them concerning Printing; and the same to be entred in the Register Booke of

the

the ſaid Company, according to the ancient cuſtome; and the Maſter & Wardens of the company of Stationers *London*, and the Vſher of the Black-rod, and Serjeant of the commons Houſe of Parliament and their Deputies, are hereby authorized and required, to make diligent ſearch from time to time, for all ſuch Bookes and Pamphlets, to bee hereafter Printed, and the ſame to ſeize, and take, together with the preſſes, and other printing Materials, wherewith the ſame ſhall be printed; and carry them to the common-hall of the ſaid company, there to remaine till either Houſe of Parliament ſhall otherwiſe diſpoſe thereof; And all

FINIS.

all his Majesties Officers shal upon request, ayde and assist to apprehend offenders in the premisses, and to bring them before the Lords or Commons House of Parliament, or the Committees appoynted for Printing, upon whose report of the Fact, such course shall be taken with the said Offenders, as shall be just. And for that purpose the said Committees are to sit at such times and places as they shall thinke fit.

ORdered by the Lords and Commons assembled in Parliament, that these two Orders be forthwith Printed and published.

John Browne Cler. Parliam.

FINIS.

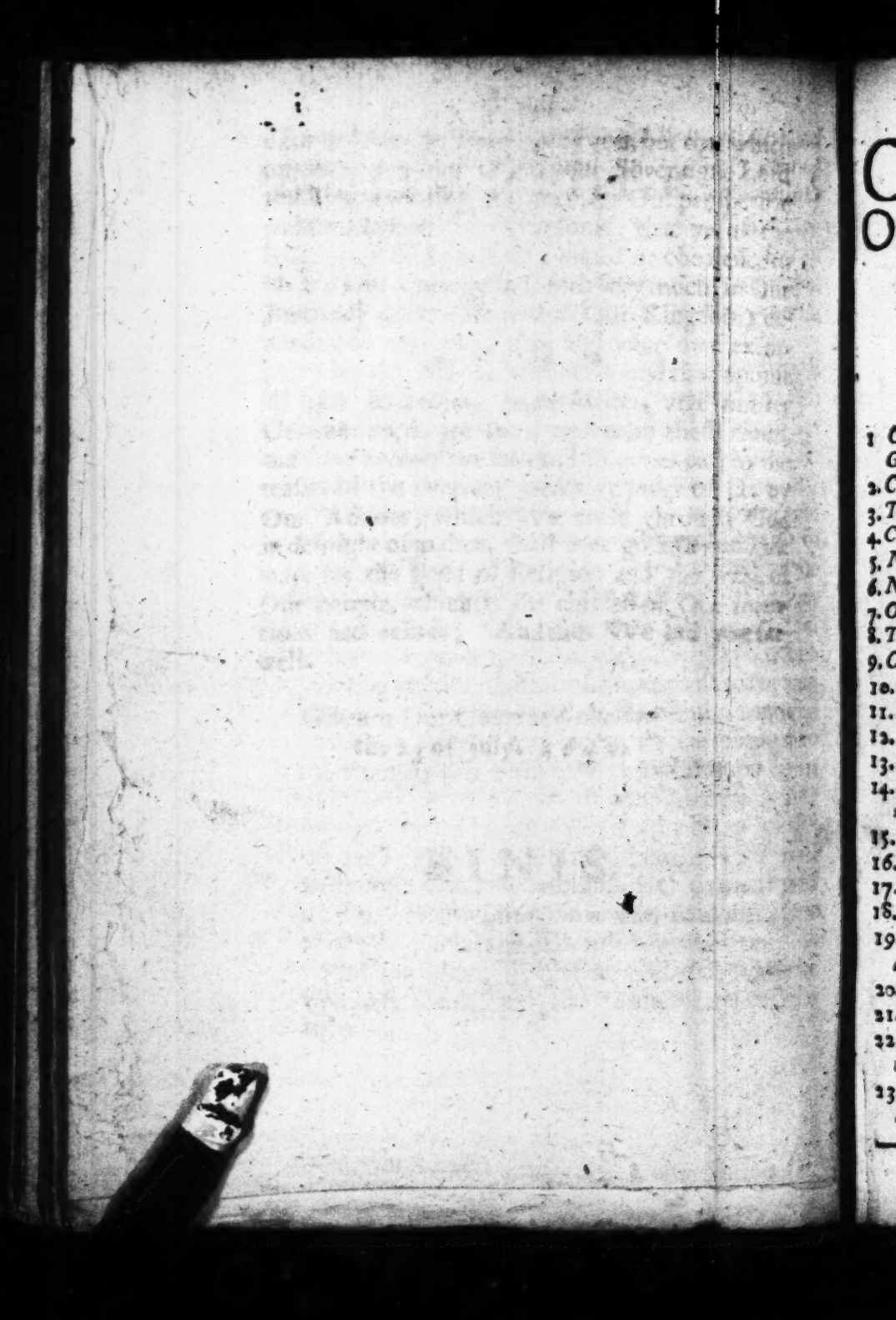
M

G

S

A

Pri



pp. London. Special Passages A K. 34. Number 4.

CONTINVATION

Of certaine Speciall and Remarkable passages from both Houses of Parliament, from Thursday the 25. of *August* till Tuesday the Thirtieth. 1642.

Containing these perticulars, *viz.*

1 *Of votes of both Houses for the forfeiting of the Estates of such Lords and Gentlemen as have intermedled with the Commission of Array.*
2. *Certaine news of the escape of the Marquis of Hartford from Sherburne Castle.*
3. *The securing of the Castle by the Lord of Bedford.*
4. *Certaine news from Cornewell and Lancashire.*
5. *News from the Earle of Pembrooke in Witshire.*
6. *News from Portsmouth, and the Isle of Wight.*
7. *Of Prince Roberts being made Knight of the Garter.*
8. *The substance of the Scotch Declaration to the Parliament.*
9. *Certaine news of a great uproare in Essex.*
10. *Of the intercepting of two Trunkes of Moneys and Plate going to Newcastle.*
11. *Certaine news from Bedfordshire.*
12. *Certaine news from the Earle of Warwick.*
13. *Certaine news from Somersetshire.*
14. *Of the seizing of two peeces of Ordnance from the Lord Cottingtons House in Essex.*
15. *Of the Kings Message to both Houses for a Treaty.*
16. *The Parliaments Answer to the Kings message.*
17. *Of very true but ill news from Ireland.*
18. *Of Captaine Legges bringing up to London.*
19. *Of an Order of Parliament for the raising of 2000. foot, and 400. Horse for a Garison for the City of London.*
20. *Of very certaine and true newes from Portsmouth.*
21. *Of sixe hundred Welshmen comming out of Wales to assist the King.*
22. *Of Newes from Dainetrey how that the Cavaleers have made great spoyle there.*
23. *And of his Majesties summoning of the Gentry of Lincolneshire to a meeting at Nottingham.*

London, Printed for Francis Leach *and* Francis Cowles. 1642.

CONTINVATION

Containing Special and Remarkable

passages from both Houses of Parliament,

from Thursday the 26. of January till Tuesday

the 7. March. 1641.

Containing these particulars, viz.

A CONTINVATION OF Certaine Speciall and Remarkable passages from both Houses of Parliament from Thursday the 25 of *August* till Tuesday the 30. 1642.

BOth Houses taking into consideration the great charge the Kingdom doth undergoe in the raising of forces to preserve the peace of the Kingdome, against those evill Councellours and Ministers that have seduced his Majestie to raise forces, and have of themselves raised forces to disturbe the peace of the Kingdome, and to oppose the proceedings of Parliament for the Ordering of the *Militia*, by their strong endeavours to put the illegall commission of Array in execution in divers parts of this Kingdome, agreed in a vote that the Estates of all such Lords and Gentlemen as have beene Actors for the putting in Execution the Commission of Array should bee forfeited, and be disposed off by the authority of Parliament, for the reparation of the charge of the Kingdome in maintaining of the *Militia*.

There came Letters to the Houses from the Earle of *Bedford* in *Bedfordshire*, informing that the Marquis of *Hartford*, the Lord *Paulet*, and the other Gentlemen in his Company at *Sherbourne Castle*, understanding of the bad successe of the Cavallieres at *Coventry*, and the defeat given them by the Lord *Brookes* forces neare *Southampton*, fearing that those forces of the Lord *Brooke* and his Company should bee drawne against them, there being now little use of their ayde at *Barwick Castle*, for which they were

firſt deſigned; the Earle of *Northumptons* forces having alſo quitted that place by the meanes of Sir *John Pelo*. The Marquelle conceiving himſelfe much unable to withſtand ſuch a force, thought it his beſt policie now while he had time to ſecure his own perſon, to leave the Commiſſion of Array, to ſuch as had a liſt to execute it, wiſhing their ſucceſſe might prove better than his, that he had given 20000 poun! he never had any hand in it. And one night, he with the Lord *Paulet*, and the other chiefe Gentlemen in a diſguiſed manner made eſcape from the Caſtle, and are now as is conceived gone to the King: The ſaid Caſtle being ſecured by the Countrey, and the meanes of the Earle of *Bedford* for the King and Parliament.

There was alſo certaine Information by Letters from *Cornwall*, that the Countrey have made ſtrong oppoſition againſt the Commiſſion of Array, and forced thoſe that came to execute it, to depart the Countrey.

And that the Lord *Strange* in *Lancaſhire*, notwithſtanding his warrant to ſummon the Countrey, to lend all ayd and aſſiſtance to His Majeſtie, to ſuppreſſe the pretended Rebellion of the Earl of *Eſſex*; found ſo ſlender an appearance, that he is weary of the deſigne, and intends no further to proceed with the Commiſſion of Array, avowing the Cauſe proſpers not.

There came Letters to the Houſes from the Earle of *Pembrooke* in *Wiltſhire*, informing that he hath put the Militia in execution in divers Hundreds of that County, where he found an extraordinary appearance, with great number of Volunteers, the County generally expreſſing their firme and conſtant reſolution to ayd and aſſiſt the Parliament upon all occaſions.

Alſo informing that he intendeth on *Monday* the 29 of this preſent, to ſet forwards to the Ile of *Wight*, and that he is informed by Letters from *Hampſhire*, that the Countrey have gathered ſuch forces againſt *Portſmouth*, that they intend very ſuddenly to ſet upon the Towne, and enter it by force.

It was alſo credibly informed that Prince *Robert* hath delivered to His Majeſtie an 100000 pound which he brought from *Holland*, and that His Majeſty ſhewes him much favour and reſpect,

and

and hath made him Knight of the Garter.

The *Scotch* Declaration proffering assistance to the Parliament, hath been read in both Houses, but is not very well liked off, or that they proffer their assistance upon terms of condition; that there may be an uniformity in Religion and Church Government between the Nations.

There was information given to the Houses, of a great uproare in *Essex*, upon the searching of Sir *John Lucas* his house near *Colchester*; where was found great store of Pistolls, Carbines, Horses, and men to be sent to His Majesty: whereupon the Country being much enraged, about 2000 of them beset his House, and with great violence seized upon him, his Mother, Wife, and Sisters Children, and caused the Major to put them all into the Common Jayle and afterwards pulled down his House, and rifled his goods, and have since offered the like violence at the Ladie *Riches* house at *Colchester*, and made great Spoile.

Where upon by Order of the Commons, Sir *Thomas Barrington*, and young Mr. *Grimstone* were sent downe to appeale the tumult, but cannot as yet allay them, their number rather daily increasing.

There was certaine information given to the Houses, that there were two great Trunckes taken in a Cole-ship going to *Newcastle*, wherein were a great quantity of moneys and plate, intended to assist the Cavaleers, but ordered to be employed by the direction of the Parliament, and sent to *Guild-hall*.

There was information given to the Houses from *Bedfordshire*, that they have raised foure Troops of Horse in that County for the service of the King and Parliament, which they desire may go under the Command of Sir *Samuel Luke*, which was very thankfully accepted of.

There was also certaine information by Letters from the Earl of *Warwicke*, that he hath lately intercepted a Ship at Sea, comming from *Spaine*, wherein was a great quantity of Bullion intended to assist his Majesty, with about 50 Barrells of Powder, some Peeces of Ordnance, and much other Arms, which by Order of the Parliament is to be sent up to *London*, to be employed

ployed by the direction of Parliament.

Upon search made in Recusants houses, and other suspected places in *Somersetshire*, by order of the Parliament; there were Armes found for 1800 men, 1500 great Saddles, with divers Horse, and 10000 pounds money.

Also upon search made at the Lord *Cottingtons* house at *Wanstead* in *Essex*, there were two great Peeces of Ordnance found, and some other Ammunition which was brought up to *London*, and layd up at *Leaden-hall*, by order of Parliament.

Both Houses having received a Message from His Majesty on Saturday last, for a Treaty betweene such as His Majesty shall appoint, and such as shall be appointed by the Parliament, to conclude of the differences betweene His Majesty and the Parliament, for the settling of the peace of the Kingdome.

On Monday they agreed on an Answer, which they have also sent to His Majesty to this effect: That untill such time as His Majesty hath called in His Proclamations and Declarations wherein the Earle of *Essex* and all his Adherents are proclaimed Traitors, and have taken downe His Standard which His Majesty hath set up in prosecution of the sayd Proclamations; which by not only the Parliament, but the whole Kingdome complying with them are debarr'd of His Majesties protection. Both Houses remain in such a condition, as that for the present they cannot give any further Answer to His Majesties layd Message.

Both Houses also agreed in a Vote upon their concluding of the said Answer, That the Earle of *Essex* should goe on in advancing his Forces for the preservation of the safety of the Kingdome, notwithstanding the said Message.

On Monday also, here was certaine information given to the Houses by Letters from the Earle of *Warwick*, that there are two Pinnaces coming from *Dunkirk*, which lately made escape from him at Sea, although he made all diligent pursuit after them he could; but by reason of their small Burthen, taking the advantage of the Winde and shallow water where his Ships could not ride, he could not come neare to take them. And that they are now landed in *Ireland* for the refuge of the Rebels, there being

in the said Pinnaces 20 Tun of Powder, 200 Case of Pistols, as many Carbines, 500 Musquets, with some peeces of Ordnance and other provisions for War, which news hath beene since confirmed by severall informations.

Captaine *Legge* is sent up to *London* by the Lord *Brooke*, and is committed prisoner to the Gate-house.

The City of *London* making a proposition to the Parliament, that they might have liberty to raise a Garrison of Horse and Foot for the safety and protection of the City, in these dangerous times.

It passed the Vote also on Monday in the House of Commons, That they should have liberty to raise 2000 Foot, and 500 Horse in the said City, and to appoint such Officers over them as they should approve of, and to dispose of the said Forces for the safety and protection of the City, according as in their discretion they should thinke fitting.

There came also a Messenger to the Houses from the Parliaments Forces before *Portsmouth*, who brought to Town a Romish Priest, two other Malignants, and the Clerke of [illegible], and are now committed to severall prisons till further leisure.

The sayd Messenger also informed the Houses, that Colonell *Gwing* is driven to that straight by reason of a strong Fort raised by the Parliaments Forces against him, which will command the Town, and with which they intendep to batter downe the same about his ears, if he did not suddenly yeeld. That on Saturday last, he sounded twice for a parley, and marched out of the Towne to a Treaty with the other Forces, but the effect of that Treaty the Messenger cannot affirme; for that he had his dispatch before any thing was concluded upon.

It was also informed by Letters, that there are about six hundred Welchmen that have drawne themselves into a combination to serve the King, and that they are suddenly expected to come to *Ludlow*, and afterwards to march to the Kings Forces.

There was also certaine information given to the Houses, that since the King sent His Message to the Parliament for a Treaty of peace, the Cavaliers have plundred *Daintry* in *Northampton-*

shire,

shire, and made great ſpoyle and havoeke in the Towne in a very outragious manner, and have done the like ſpoyle in divers other Townes thereabouts.

Aa alſo that His Majeſtie hath ſent out Summons to the gentry of *Lincolnſhire* to Treat with him at *Nottingham* this preſent Monday, concerning their lending of ſupplies to his Majeſtie.

The Commons ſpent ſome time in debate of the Scotch Declaration, and to agree of an Anſwer to the ſame, but have not as yet concluded of any thing thereupon.

FINIS.

H
S
R

35

A DIURNALL OF SEA DESIGNES,

which is as ſtrange as true.

RELATING WHAT

great preparations many mighty Forraigne Princes have now upon the Ocean, no man knowing for what intent or purpoſe.

WHEREIN IT MAY

be perceived that the caſe is pitifull when ſo many dangers are floating about our ears before wee can heare of them.

WRITTEN FOR A WARNING,

that though feares and jealouſies be neceſſarie; yet it is more neceſſary to lay them in their right places.

Not unprinted betwixt *Yorke* and *Beverley*,

By *W. H.*

August 30th. K.

LONDON, Printed for *W. S.* 1642.

A
DIURNALL
OF
SEA-DESIGNES.
which is as a Journall true.
RELATING WHAT
great preparations many mighty Fo
raged Princes have now upon the Ocean,
no man knowing for what intent
or purpose.
WHEREIN IT MAY
be perceived that the cale is
pitifull when so many dangers are
foaming about our ears before we
can heare of them
WRITTEN FOR A WARNING,
that though fears and jealousies be
needfull; yet it is more necessary
to lay them in their right places.

Not unpainted betwixt Jerke and Brevity.

By W. H.

LONDON, Printed for W. S. 1642.

A DIVRNALL OF SEA DESIGNES,

which is as ſtrange as true: Relating what great preparations many mighty Forraign Princes have now upon the Ocean, no man knowing for what intent or purpoſe.

IT is not to be conceited or conceived, that there are great diviſions in *England* at this time, nor can it be imagined, that any man that hath wit or ſence, will thinke that there is any ſtrife or contention amongſt us, or that there are two parties in oppoſition (the one well affected, and the other malignant.) All this is not to be thought, and it were well, if it were but to be thought. But the more is the pitty, theſe things are certainly too apparent, and too true, (and therefore they are paſt thinking) though every man that is indued with Chriſtianity or humanity, cannot but continually have in memory the manifold perturbations and diſtractions that do moleſt the Kings Majeſtie, the Honorable Court of both Houſes of Parliament; and generally three whole Kingdoms both in Church, State, and Common-wealth. All (or the moſt part)

of which troubles do proceed from feares and jealousies of which too many of them are supposed *Chimæraes*, with very few (or no) realities mingled with them; so that the maine of all our disturbances, is the want of faith and confidence that either Subjects should have in their Soveraigne, or the Soveraigne in his Subjects. And though they seeme (and more than seeme) to differ, yet they all do agree in every fundamentall Point for which they contest.

The King protests (and will keepe his word) that He will live and dye in the Profession of the true Protestant Religion, and for the suppression of Popish Superstition; that all former Lawes made since the time of King *Edward* the first, and to be made against Romish Priests and Recusants, shall be in full force executed against them: All which the Parliament agrees to with a full consent; so all parties are agreed, and yet they disagree.

The King protests to maintaine the Lawes, Rights & Liberties of His Subjects, with the Priviledges of Parliament. The Subjects and Parliament, and all agree with the King in these things; yet for all this they agree not.

The King most heartily desires to Rule and Reigne in Piety towards God, and with such Love and Peace amongst His people, as may be for His Honour, and their mutuall Security; and all this the Parliament desires, and yet they are at distance.

The King is most unwilling to have any Warre with His Subjects, and He knowes that side which so ever winnes, yet He must be the loser; therefore He would not have the bloods or lives of His people lost or hazarded in any Civill Warre: All which the Parliament do most humbly pray, and labour for; and yet there are Armies raised, and mighty preparations for defence of each of them, from the oppositions of the other.

The King would have distressed *Ireland* speedily relieved and Reduced, and the Rebellious Papists conformed or confounded: All which the Parliament do in all humility desire, and take

extra-

extraordinary care and paines to accomplish; and yet for all this they are at difference.

So that though they do agree in all matters, yet (upon the matter) they agree in none. But fears and jealousies and malignant parties are of each side, who do infuse causelesse distrusts betwixt them, to the excessive charge and molestation of all.

There are also weekly Diurnalls, some true, & some soysted; as some (of the wiser sort) may take this for one; but this is all Sea-businesses which may breed fears and jealousies and suggest dangers, if they be not rightly understood, as suit on

Monday.

THis day news was brought to the *Bell* at *Barnet* in the County of *Westmerland*, That a Troope of French Horse entred, to surprise the Isle of *Wight*, under the command of Mounsue *Shackatroone*; but neere the Islands of *Garnsey*, and *Iarsey* they met with a Fleet of Turkish Gallyes (in number fourteen, amphibeges) and after a sharpe fight of five houres, the horses had the better of it, and drave the Gallyes into the Island of *Sally*, where they were presently surprised by the Natives; their barks were deeply stud with Corke, and as it may be supposed landed more to the Town of *Shotshire* in *Devonshire*; what their intents were, is not yet known; but yet (apt events the worst) it is not amisse that we have fears and jealousies of them.

Tuesday.

ABout three of the Clocke in the afternoon, before dinner, there was a small Fagot of wyes Tun in Bunhen London with Letters from the Vizier of *Argiers* to the Pope; it is thought that those Letters do treat of an agreement in Religion betweene the *Turke* and his *Holinesse Catholique holinesse*: And truly they do not much differ upon the maine point, for they are both enclined to dumb Christmas of the Church, and the one

of them hath entertained *Mahomet*, and as for the other hee hath Sants and Reliques enough of his owne making to patch up such a religion as neither Christ nor his Apostles ever knew of.

Wednesday.

ALl this day the winde blew hard, at Northeast & by South, and Southwest and by North, by which meanes Ketches and fisheboates had almost lost their Tydes, whereby the Haven of *Billingsgate* was doubtfull of the Arivall of the fleet, and the whole Citie and suburbes in Hazard to have no Oysters, But the winde shifted about East North-west, that by good fortune all our feares were ended at twelve pence a peck, & so much other good meate as did serve for that day.

Thursday.

IT is Reported that the Queene of the *Sheba*, was upon the Sea with five *Galleons*, 12 *Carracks* and many shippes, Galley Asses, and Asses Galley, the fleet being in number of great and small, threescore and thirteene. The newes was knowne by a strang Accident of a Tempest, that happened upon the Coast of *Ginny*, where one of the shippes being overladed was forced to lighten her of her burthen, by casting much goods overbord (of great value) amongst the rest there was a heavy trunk which sunk, and was swallowed presently by a *Grampus*, (which is a young whale.) There then being in the said Trunk a Case of *Ethiopians* strong waters; the case breaking in the Trunk, made the *Grampus* drunke, so that he never left tumbling, reeling and rowling till he ran himselfe a ground neere a place called *Cliffe* in *Kent*, three miles from *Gravesend*, where the huge fish was taken at low-water, and being ripped up the Trunke was found, with the Queenes great Seale in it, and some notes that there was 200. Tunnes of Gold in the fleet, besides other treasure; It is not yet knowne to what Coast she is bound, therefore it is wisedome to let her alone till we know further, in the meane space the Con-

stable

ſtable and Churchwardens of *Cliffe* can certifie the whiold truth of this matter.

Friday.

THis Friday two Dunkirks ſhippes would faine have taken ſixe Holland ſhippes, but feare of beeing taken themſelves, they retired into their owne Haven (or den of theeves) by which meanes certaine Barrells of Butter, ſome Holland Cheeſes, and and Pickled Herrings were ſafely brought to *London*.

Sateday.

NEws came of 200 ſaile of ſhippes and Argoſyes, with other veſſells, wherein yoly Rigd victauld and manned in Spaine, and it is Reported that the Spanyards are ſuch kinde people, that they with the reſt of the Romiſh catholiques do wiſh England ſo well that they doe earneſtly deſire to have it All; for which purpoſe they have made a dammable ſtir in *Ireland*, and a mad quoile in England of which there is great hope there will be a happy concluſion, and for the which let us expect and humbly pray to that power of powers, who is the one and only peacemaker.

Nor let any man make a doubt of this forementioned diurnall, for it will be proved upon the Oathes of as honeſt men as either the Writer or Reader is, that all herein is as true as ſome 20 of the Penny Pamphletts that are daily bought and ſold in the ſtreets by the new Ragged Regiment of *Tatterdemalian* Booke-ſellers.

There is newes brought alſo, ſince this Diurnall was printed, that ſome fiſhing Sailers, or Mariners, did moſt felloniouſly ſteale all ſuch Ropes out of the Kings ſhippes as are called Sprit-ſaile *Bolemis*, to the great preiudice of their being ſteared right, for many doe feare that the ſaid ſhippes will hardly fetch their Helmes as they ſhould doe. But the Theeves were taken, and after great examination they were found guilty and becauſe ſome

of

of them were married men, Batchellers, and some Apprentices, they were adjudged to three severall punishments, the married men were Doomed, to be at their wives disposing, and be allowed every meale (at home) a messe of Moundring broth scalding hot; and they should never, have meate, drinke, or cloathes without love, credit, or Ready money. The Batchellers were sentenced to have each of their heads placed betweene a paire of Bares, and the Apprentices were never to be seene or looked upon, but under the eye-browes.

I know it is a dangerous matter to speake wisely, and therefore, for mine owne safety, I will write this Diurnall to such as are troubled with the simples; It is a deare yeare of wit: But Abuses are exceeding plentifull, as God knowes. And the King, Parliament, Church, State and poore Comonns, have all joyntly and severally so much woefull experience.

The Reader may expect more newes the next Diurnall, if Letters be not Intercepted.

FINIS.



Numb. 3.

SPECIALL

PASSAGES

And certain Informations from severall places, Collected for the use of all that desire to bee truely Informed.

From *Tuesday*, the 23. of *August*, to *Tuesday*, the 30.

Colchester, Date Sunday night at one of the Clock, Aug. 21. 1642.

INformation being given to the Magistrates of *Colchester*, that Sir *John Lucas* had 10. or 12. Horses ready sadled, and their Riders provided of Carabines and Pistols, and were that night to march away towards His Majesty, whereupon a private watch was set, and accordingly they came out of a back-doore into a field, where the Watch met them, and forced them to retyre, and sent into the Town to beat an Alarme, upon which 7. or 8000. people were quickly come, besides the Trained band, they seised upon the Horse and their furniture, with the Pistols, and Carabines, which were charged, and found divers Armes more, and more Saddles, all which they brought into the Towne, but the multitude were so violent, that they attempted to pull down his house, and carry Sir *John Lucas*, his Lady, and his Mother to Prison, whom the Bailifes of that Town (for their protection) took into one of their houses, yet such was the violence of the people, that they would pull down the Bailifes house, if he would not carry them to prison, whereupon they were carryed (and went gladly) to the Moot-Hall for their more security, and in the interim plundered his house, but the people not satisfied herewith, threatned to go and visit the Lady *Savages* house, and all the ill affected party thereabouts that oppose the Parliament. Master *Newcomin* a preacher was to go as Chaplaine to Sir *John Lucas*, and gave an Oath of secrecy to those men that were to go: The Town hath sent up to the Parliament to know their pleasure in this businesse.

Westminster.

THE Lords being made acquainted herewith the 23. of *Aug.* at a Conference, agreed to send down *Sir Tho. Barrington*, and Master *Grimston* to appease the people, & to see Sir *John Lucas* and Master *Newcomin* brought up to *London*, that no violence be offered to their Persons, And sent down a Declaration expressing this act of Sir *John Lucas* in going to assist the King in a War against his Parliament, after the Standard was proclaimed to be set up, was high Treason, and declared it to be an acceptable service in the people to stay him, his Horses and Armes, but gave direction they should all return peaceably to their own homes, and to forbeare to offer violence to his person, or plunder his, or any bodies house.

Yorkeshire.

BY a Letter dated at *Yorke*, Aug. 18. It appeares Judge *Heath* altered the names of the grand-Jury returned by the Sheriffe, & made a speech for the legality of the Commission of Array, yet could not prevaile to finde the Indictment against Sir *John Hotham*: That divers of the Gentry upon the Bench at the Castle gainst *Yorke*, made Orations to the grand-Jury, to present what they thought fit (for his Majesties assent) for the defence of that County, propounding that 8000 *l.* and upwards might be imposed upon the Countrey for maintaining of Horse: That on the 24 of *Aug.* all persons of this County charged with Horse should appeare in Armes at the Mannor at *Yorke*, and be enjoyned to maintain them for a moneth from the 24. of *August*. That the Defaulters or Refusers should be proceeded against with effect before the Commissioners of *Oyer* and *Terminer*, who have power to do such acts by that Commission, as their discretion shall direct, which will make all good men file trill of it; That the Earle of *Cumberland*, and Sir *Thomas Glenham* have another Commission to settle (as is conceived) a Counsell of Warre.

Newcastle, Aug. 21.

SInce Prince *Robert* went hence, the Barque with Ammunition which was chased by the Scarbrough Ships, is come in. The *Rainbow* imployed by the Parliament, having lately had Cavaliers on board of her, is put to Sea, and discerned the safe guarding of that Haven: The Masters of the Collyers Ships are many of them resolved not to come here again, fearing they shall be made stay of as soon as more Ordnance come from Holland, and then be imployed to the disservice of the Kingdome, what effects this may produce no man knowes, for doubtlesse the Keel-men and Collyers (who have no other livelihood but by the trading of the Ships) will rise upon it, and then the Cavaliers here will finde work to quiet them.

Nottingham,

Nottingham, Munday, August 19. Nine at night.

THat this day about 6 at night, His Majesty came weary out of *Warwick-shire* to *Nottingham*, and after halfe an houres repose, commanded the Standard to be brought forth, which was carryed by a Lord, His Majesty, the Prince, the Duke of *Yorke*, and divers Lords and Gentlemen accompanying the same, as soon as it was set up, His Majesty calles for the printed Proclamation, mended with pen and inke some words misprinted, or not approved of, and caused the Herauld to reade the Proclamation three times, and so departed: The Cavaliers having disarmed all the Townesmen that had Armes, sent them from the Parliament, three houlsholders refusing to deliver their Armes which they bought with their own money, were committed close prisoners to *Nottingham* Castle: They plunder all mens houses whom they please to call *Roundheads*, and bring in Cart-loads of houshold stuffe, and sell them before the Court gate.

Northampton, Munday night, at 12. a Clocke, August 20.

WEE were in great feare here of the succesle at *Coventry*, yet so bravely have the *Brunsmicks* men (volunteers that came to assist the Citizens) behaved themselves, that regardlesse of the Cavaliers Canon shot, though it pierced their Gates, yet undaunted, sallyed out, did some execution upon them, and forced them to flie. In this Town 500. men, and 100. women have wrought all yesterday and this night, carrying of earth to strengthen our Walls and places of fortification, for we expect our Towne to be next, and hope we shall not be least in repute, to quit that trust the Common-wealth reposeth in us, feare it not, weele die, or suffer any misery, before wee will yeeld to enslave our posterity. Our County hath raised 5000. l. in money, and 300. Horse for the Parliaments service.

Coventry, August 24.

THE Lord *Brooke*, and Colonell *Hampden*, with all their Forces of Horse and Foote, together with their traine of Artillery are come to this Town, being saluted with divers Vollies of shot from the *Brunsmicks* men, who stood stoutly for our defence: The Townesmen expressed no lesse joy, who were not a little affrighted with the unaccustomed Canon shot against their Gates and Walls, which they defended to the terror of the enemy, and horror of their Town, and lost not a man: For the passages yesterday neare *Dunsmore*, the Cavaliers hearing that the Parliaments Forces were much spent, and wearyed with a long march, resolved to charge them home again before they should recover strength, by refreshing and resting of themselves, but the Lord *Brooke*, who was diligent and vigilant, observing their intentions, commanded his Canonier to give fire, who was so good a Markes man, that he

he cut off a File of Horſe at firſt ſhot, and one of the wheeles of a carriage of the enemies Ordnance, five Horſes being found ſlain, and the legs and arms of ſome of their Riders, the next ſhot was among the Infantry, which made a lane, to the terror of the Welch-men, who betooke them to their heeles, which Captaine *Leg* ſpying, came up haſtily to Serjeant Major *Ballard* Troope (thinking it to be a Troope of the Cavaliers) to cauſe them to make the Foote ſtand by it, and ſo was taken priſoner by Serjeant Major *Ballard* himſelfe, our Infantry were ſo over-joyed at the ſight of the Cavalieres (in hope of an encounter) that they put their hats on their Pikes and Muſquet reſts, and held them up for joy, and made ſuch terrible ſhouts, which daunted the Papiſts and Cavaliers as much as the Canon, retreating ſo faſt, that the Country people thereabouts took up clubs, and as any ſmall company of them paſſed, cudgelled them, and bid them go home againe: there were ſome 9. priſoners taken, and about 40. ſlaine: The Lord *Brookes* had about 300. Horſe, the Cavaliers 1400. which was the reaſon, and being wearyed before, that they could not with ſafety purſue the Cavaliers.

Dublin in Ireland, Auguſt. 17.

WE lie ſtill here to talk of your troubles in England, we want Armies, and thoſe we have are ſpoyled for want of uſage, and yet I cannot ſay the common Souldier delights ſo much to ſleep at home, as to be in action abroad, though many of them want clothes, where the fault lies is not for me to judge, there are about 2000. Irish in our companies, our Parliament was yeſterday adjourned to the 10. of *November*, *Poyning's* Law was much agitated to be repealed, the Commons approved it, the Lords denyed it; The Rebels keep their Parliament ſtill at *Kilkenny*, one fruit of their work is a petition to His Majeſty, that in regard his intention to come over to *Ireland* is diverted, that yet he will not be backward to hearken to their juſt deſires, which (amongſt other things) is to aſſiſt his Maieſty to maintaine his Prerogative againſt the puritane party of the Parliament of England, that would limit him, and govern them.

Lichfield, Auguſt 20.

AS the Carrier was comming to this Town with a Wagon of Cloths for the Souldiers at *Dublin*, which he was to leave at *Wichcheſter*, and Ship them for *Dublin*, the Lord *Compton's* Troopes and others ſeized on the Wagon and clothes, and diſpoſed of the clothes among the Souldiers, and carried away the Wagon and Horſes, to the undoing of the Carrier, who told them what great want the poore ſouldiers were in in *Ireland* for clothes, how this act of theirs would countenance the Rebels, that can have ſuch friends in *England* to do that for them here, which they would do there if they could, but all would not prevaile to have any thing reſtored.

Corke

Corke in Munster. Aug. 5.

WE want Recrutes, 1500. men is our strength, the enemy takes heart and affronts us; *Kettleby* hath left *Kingsale* to the mercy of the Rebells, and *Straddling-Limricke* for the Rebels passage, it much casts downe our hearts to see this accommodation of theirs, being confident it proceeds not from the authoritie of Parliament; wee have sent 100. men to helpe them in *Kingsale* in this disaster, and could wish the Lord *Forboyes* would joyne with us for some honorable attempt, but he scruples, and wee suffer: Here came lately from *Dublin* one *Kirke* an Agent for some neare the Court, who no sooner went on bord of *Kettleby*, but he hoised saile. If you cannot by reason of your distractions at home (for the Rebels say you shall have them to the purpose) send us supplies, send some Recrutes to make good our Garrisons; there is a Gentleman imployed hence, Colonell Sir *William Ogle* to sollicite this businesse, he is a Gentleman of worth and valour, and so hath approved himselfe in severall services here, honour his judgement and send us him againe speedily.

Nants in France. Aug. 23. 13.

THat three Irish Ships are there, though of French bottomes, one of 20. peeces of Ordnance, another of 14. the third of 6. that much Ammunition is taken into them, and 200. Barrells of powder, two ships more are to come unto them, and a French man of Warre of *Rochell* to be their convoy to the Rebels. an Englishman was an eye witnesse of the lading of it in one of their Ships.

Chester Aug. 20.

IT was a good turne the Parliament sent not the 30000 l. to this place to be sent into Ireland, for if it had escaped the Kings Troops about *Coventry* (who by farre seised on the Souldiers cloathes, going for Ireland) it would hardly have escaped two men of warre that hover at Sea, as if they wayted for such a prize; here is a Barque newly arrived that saith they are in his judgement about 300. Tunne a peece, with 20. Ordnance a peece, which inclineth us to beleeve it is not Captaine *Kettleby*, yet we dare not send our goods to *Dublin* till the Earle of *Warwicke* send some ships to cleare this Coast, for these Pirates tooke two Scotch ships, and threw the men over board, and have chased divers *English* Bottomes, who have put into severall Harbours in *Wales* for their safety.

Venice 20. 30. Junii.

THere is a great imposition laid on Currance by the *Venetians* then ever yet laid, from 5. s. to 25. s. and this since they have beene informed the Parliament intends to prohibit the importation thereof; they being of opi-

nion that Engliſh Ladies and Children cannot live without plumme Cakes, and therefore hope to make their owne conditions, denying to take old cloathes, &c. as they had wont to doe for theſe commodities, and nothing but currant money will buy their currant traſh, that it drawes from the kingdome of England 100000 l. in ready money *per annum*, which would bee better imployed at home then unneceſſarily abroad.

Sudbury in Suffolke Aug. 24.

THe people in theſe parts begin to take example by the inſurrection at *Colcheſter*, and reſcue priſoners, plunder houſes, not onely Papiſts, but Proteſtants, alleadging them to be perſons diſaffected to the Parliament, who to give them ſatisfaction (if not of realitie) ſpeake well of the Parliament, but it will hardly give content, if the Parliament take not ſome ſpeedy courſe, they will grow ſo ſtrong, as a ſmall force will not bring them in ſubiection, and in concluſion the innocent as well as nocent may ſuffer.

Portſmouth, Aug. 24.

THey daily come away from the Colonell, our Trayned band of this County are loath to attempt an aſſault upon *Portſmouth*, conceiving the ſervice deſperate, and are deſirous to attaine it without that loſſe of blood it is like to coſt, the Pyoners work daily, and we make our approaches nearer: Sir *John Meldrums* advice much advantageth the ſervice, Letters of conſequence are intercepted, ſowed up in the Coller of the dublet of a Townſman an actor in this deſigne of *Portſmouth*, as he was going with it, who ſtiffely denyed the having any Letter, and therefore now moſt ſtrictly kept in cuſtody. A Scotch Trooper ſeeing the gates of *Portſmouth* open, ſets Spurs to his Horſe, holds up his hand to his fellowes, and away he goes into the towne, diſcharges his Carabine, after his Piſtols, and with his ſword fights for halfe a quarter of an houre with 6 or 7 men, and had not the gates beene ſhut, had undoubtedly made an honorable retreate, but that being cut off became a priſoner, and was ſince ranſomed: Colonell *Goring* plaid fiercely with his Ordnance upon a place which the Parliament party intended to have rayſed a battery upon: it is to be feared he is victualled for too long a time.

St. Edmunds-Bury in Suffolke, Aug. 23.

THis towne hath beene in great feares a long time by reaſon the Magazine of this part of the County was in an inconvenient place, and the key thereof in a hand not pleaſing to the Inhabitants, but this weeke the High Sheriffe and Sir *Roger North* according to order of Parliament have taken the ſame into their cuſtody, and diſpoſed of the ſame into a ſafe place in that Towne, and delivered the Key to a perſon that will not ſcruple at the commands of Parliament.

Shrewsbury,

Shrewsbury, Aug. 22.

This Town and County is divided, our Maior & Sheriffe are Array men, and joyn with Sir *Vincent Paul Harris*, Sir *Corbet* and the reſt of the Commiſſioners of Array, who were almoſt all of them of the packt Grand Jury, and doe indeed act things as if they meant to ſet up a petty Parliament among us, for whatſoever preſentment they made they hold the Countie involved in the ſame, and obliged to obey what they conclude, though the Parliament at *London* declare the contrary. Judge *Heuden* after the Sheriffe (according to the duty of his place) had returned a liſt of Gentlemen to ſerve, put in and put out as he thought would advantage or diſadvantage the deſigne. They have (*verbatim*) preſented the ſame Declaration that was agreed on by the pack Grand Jury in *Worceſterſhire*, yet notwithſtanding our Freeholders are firme to the King and Parliament, and when it comes to it, it will appeare ſo.

Southampton, Aug. 24.

HEre is a Ship come in with ſtore of Bullen & other new commodities, the Maſter pretends he was forced to weigh Anchor before hee had leave, deſires that he may unlade his Bullen and Merchandize, that an Inventory be taken of every particular, that hee may be reſponſible for other ſhares, being deſirous to iniure none that hath a right, yet willing to lend ſome of it to the Parliament to ſupply the neceſſity of the Kingdome.

Weſtm. A Meſſenger is diſpatcht to the States of the united Provinces, with a Remonſtrance of the ſignifying that the diſturbers of this State ſhould prevaile would much preiudice them, and of the Prince of Oranges ſupplying his Majeſtie; ſome of the Court have ſent to *Holland* ſignifying that the King hath overcome the Parliament, and is now cutting off the heads of that party both Lords and Commons: a Letter is ſent to her Maieſtie adviſing her to doe better office for time to come, otherwayes her Church may ſuffer much in concluſion.

From Mancheſter in Lancaſhire Auguſt. 26.

THe Lord *Strange* hath this weeke by his Warrants ſummoned one of our hundreds, and at their meeting procured about 100. Muſqueteres, ſixtie pike men, and 16. horſes to march towards the Standard at *Nottingham*, reciting in his warrant, whereas there is rebellion in the South, &c.

One *Workington* a Lawyer advanceth 1000. pound; he gives out hee hopes to be a Judge in time: The Lord *Mohneaux* findeth ten men and two horſes; Mr. *Kirby* Knight of the Shire ten men; Sir *Alex. Ratcliffe* ſixe men, *Alex. Rigby* ſixe men, Mr. *Bridgeman* the Lawyer, and a Biſhops ſon 12. men, and divers others now not mentioned. The 30. of this moneth he appointed another diviſion to appeare.

Salop

Salop, Auguſt 26.

Our high Sheriffe ſtudies miſchiefe againſt the Parliament; he ſerves not his turne to packe Juries, but aſſumes unto himſelfe to anſwer for the Countie if the Parliament queſtions them, and makes propoſitions to impriſon all as enemies to the King that will not yeeld obedience to himſelfe, and the reſt of the Commiſſion of Array.

Portſmouth, Auguſt 27.

THe Rampire is now almoſt finiſhed, and in ſhort time we ſhall tire the patience of the Colonell: an accident remarkeable, one night this weeke, one of our Souldiers was much drunke, purpoſed ſtrange atchievement to himſelfe, ſtole from the Sentinell, and with a Candle and Lanthorne, went towards the walls, having an immaginary opinion that he could take the Towne himſelfe; the VVatch ſeeing a light appearing, ſuppoſing an aſſault, plied the Ordnance, diſcharging above 40. ſhot, but ſtill miſſt him, but he approaching nearer the walles was laid aſleepe with a Muſket ſhot.

Dorcheſter.

WEE expect the Earle of *Bathford* every day, we are prepared here with Dragoneeres to make good our quarter at Sherborne: The Marqueſſe, Sir *Ralph Hopton*, the Lord *Pawlet*, and Sir *Jo: Stowel* are there, and ſtay in hopes of the Kings Army to relieve them, which they depend upon with much confidence.

The Lord *Strange* endeavouring to raiſe Forces againſt the Parliament after the Standard was up; was this Munday, Aug. 29 accuſed of high Treaſon.

Weſtminſter, Aug. 27.

THis day Sir *John Culpeper* came from his Majeſty to the houſe of Commons with a Meſſage, and the Earle of *Southampton* to the houſe of Peeres with the like: The houſe of Commons were ſo ſenſible of the Kings Declarations and Proclamations, charging them with Treaſon, and making them Traytors; that they were unwilling to receive any Meſſage at all, till thoſe papers were called in, yet at laſt agreed to receive the Meſſage, but Sir *John* was not ſuffered to deliver it as a Member, but as a Meſſenger at the Bar: It was to this effect, *That his Majeſty deſired peace, and therefore propounded a proportionable number of both Houſes to meet ſuch as He ſhall appoint to treate of the matters in difference.* Both Houſes met upon this at a Conference, and concluded of an anſwer, to this effect: *That it was nothing but the peace and quiet of the Kingdome they had ſought for in all their Petitions and humble addreſſes to his Majeſty, that gladly they would imbrace it as Subjects, but as Traytors, and therefore till his Majeſty had recalled thoſe Proclamations by which the Earle of Eſſex, the Parliament, and their adherents were declared Traitors, and laye down his Standard ſet up to deſtroy unto him to deſtroy his Parliament and People they could not yeeld to any other anſwer to his Meſſage.* And leſt the Kingdome ſhould think the Parliament would reſt in ſecurity by reaſon of this Meſſage, both Houſes joyned together in an earneſt deſire to the Lord Generall to advance his Forces with all ſpeed.

This week departed this life Sir *Arthur Ingram*, a Parliament man, who kept a Table more like a Prince than a Subject, at whoſe houſe the King, the Prince, and the great Perſonages of the Kingdom have been often feaſted, now is a feaſt for Wormes himſelf.

London printed for *H. Blunden*. 1642.



37

THE PARLIAMENTS Love and Loyalty TO THE KINGS Most Excellent Majestie.

Wherein is proved, that the Parliaments discontent, and the Kings disaffection towards them, is the effect of Evill Councellors, that seeke the ruine and destruction of the Kingdom.

With some Additionall Reasons, Declaring what hath caused This Seperation of the Kings Majestie from *London*, And to raise Arms at *York*.

WITH

The occasion of these distracted Times, some standing for the King, and some for the Parliament, as if they desired Civill Wars as the Malignant party doth.

London, Printed for *Thomas Cook*, August 30. 1642.

THE PARLIAMENTS Love and Loyalty TO THE KINGS Moſt Excellent Majeſtie.

Wherein is proved, that the Parliaments ill counſel, and the Kings diſaffection towards them, is the effect of Evil Counſellors, that Rule the Prince and diſtraction of the Kingdom.

With ſome Additionall Reaſons, Declaring what hath cauſed This Separation of the Kings Majeſtie from his People, And to make Amis at laſt.

WITH

The occaſion of theſe diſaſtred Times, ſome Hearing for the King, and ſome for the Parliament, as if they deſired Civill Wars as the Malignant party doth.

London, Printed for T. B. and C. G. Aug. 30. 1642.

The Parliaments LOVE and LOYALTY TO THE KINGS MAJESTIE.

WHereas the Kings Majestie hath been pleased to imagine and conceive by the instigation of evill effected men, that the Parliament endeavours to impaire and give narrower limmits to the Kings Majesties Fame and Honour, and to derogate any thing from the true and Legall Prerogative inherent and essentiall in the Kings Person. It may be evidently observed in the many Loving and Loyall Declarations set forth by the Parliament, that they desire nothing more earnestly then to the utmost of their Lives and Fortunes, to promote the magnificent Honour and Glo-

ry of His Majestie, to preserve the Protestant Religion, and to set it in such a true and upright posture of reformation, that the King may still merit as He doth inherit the title of *veri Defensor fidei*, the Defendor of the true faith, and His Majestie doth hereto concure and comply with His Honourable Parliament, that He will maintaine and defend the true Protestant Religion.

Whereas the Parliament knowes there can be no good Religion in such as raise Arms, and disquier the State of their native Soveraigne, contradicting their oath, bond, and obligation of their faith, whereunto they are sworne by their Allegiance, if such Arms and Forces be raised against the Kings Majestie, whose Person they ought to defend against all dangers, both Forraine and Domestick, yet there may be some additionall reasons whereby in case of necessity, when rumors and feares of invading from the Kings party are feared and spread abroad, when there is an oposition, or an Antiparliament, established to contradict the procedings of the other, when the Libertie and Priviledges of Parliaments, which ought to be preserved entire, are took away, or slighted, not by distinctions, but absolute negations of their fundamentall being, where divers Members of the House of Parliament do absent themselves, and not return again upon Summons, nor fine imposed on them for their cõtempt and breach of Parliamentary Power, and when they Kings Majestie seduced by evill councellors of the malignant party, is instigated to raise copious and informidable forces upon groundlesse feares and jealousies, the Parliament considering those and other pretended reasons,

and

and being ſtrong teſtimoniall witneſſes in their conſciences of their clear intents and loyall affections to His Majeſtie cannot chuſe but be admoniſhed by the Kings Majeſties great preparations, to imagine that when their neigbours houſe is on fire, their own is in great perill and danger, eſpecially His Majeſtie having of late through the advice of ſome Incendaries and thoſe that would laugh to ſee the Cittie of *London* on fire, as they have themſelves reported, ſtrongly beſieged and environed the Town of *Hull*, entending to take it by ſtarving them out, blocking up the paſſages for ſupplying them with any relief or ſuſtenance. The Parliament therefore and the Citie of *London* concurring in mutuall affection, foreſeeing the ſtorms that threatens them, hanging in the Northern Clouds, do intend to raiſe forces to deffend the Kings Honour, and the ſafety of the Parliament which deſires no War, but the Peace and happineſſe of the Kingdom, the preſervation of the Laws in their power and authority, the maintaining of Religion free from ſuperſtitious Innovations, and that no errors of Popery and Arianiſme may be impoſed upon us, as the Doctrine of the Church; The conſervation of the Rights and Liberties of the Subject, ſo that all true-hearted Subjects cannot chuſe but have a ſenſible feeling of the wrongs, indignities, and affronts, offered by the malignant parunto to the Parliament; And ſince they are *Patres Patriæ*, the fathers of their Country, the Subjects of *England* ought like obedient children to maintain their Rights, and be ſubiect to all their juſt and legall commands; how unjuſtly therefore doth that ſcandalous Declaration and Reſolution of the County of *Hereford*

ford charge them with insinuating false-hoods, and doth feare to intimate that the Body politick of this Kingdom, hath been rather wrong'd in the health thereof, then any way purg'd by the State Physitians of Parliament, being themselves corrupted with sinister respects as the foresaid Declaration falsly mentions.

But yet it may be objected what may be the reasons that move the King to keep such a distance from His Loving and Loyall Parliament, and to confide more in Evill Councellors at *York*, then in His great Councell of Parliament at *London*; for a generall satisfaction these reasons may be alledged.

First, His Majesties opposition against the Parliament, and by a strong hand supporting and protecting Delinquents, so that orders of Parliament are not obeyed but slighted and scorn'd, so that it is made but *Imago Parliamenti*, a meer shaddow, and this is one cause why the Kings Majesty and the Parliament have so long dissented and disagreed.

The second reason may be drawn from the feare and conscientious guiltinesse of some great Persons, who being doubtfull and timerous least the Parliament should discover their Machivilian intentions against the peace of the Kingdom, and secretly adhering to Papists, do therefore strive to incense the King against the Parliament, and set the Kings Name and Prerogative in the Front of the Battell to defend their own bad causes, and keep them from that punishment which they have incurr'd by their demerits.

A third reason is because there is not that mutuall relation and confidence, which ought to be between them, for the *medium* or meane conjunctive being taken

ken away, or frequently broken, or to speak plainly, when the King doth not love and respect His Parliament, but is by Evill Councell wrought to oppose them, and to suffer them to be maligned with bitter Invectives under his name in the forme of Doctors, it must needs consequently disanimate the Parliament, to see their love and loyalty rewarded with nothing but contempt and dislike; what son can shew any filiall duty if the father will not endure his sight but rejects him: what souldier can perform any remarkable service if their Captain do not esteem them as his friends, and confide in them as *faithfull* and true to their colours? and how can the Parliament produce those good effects which are expected, and accomplish those serious services and businesses, wherewith their country had entrusted them, if so be that the King give no encouragement to their consultations, but hath gathered force at *York*, under the pretence of a Guard to oppose the Parliament, and besiege *Hull*; so that while His Majesties love is alienated and withdrawn from His Parliament, and His actions speak contrary to His words, there must needs be jealousies and disagreement betwixt them.

A fourth Reason may be the constant and long continued habit of disaffection; which being like unhappy seeds sow'd abroad among the common people, hath brought a mutinous faction in their distracted minde, some dividing their opinions for the King, and others for the Parliament; so that they have discours'd themselves into a supposition and expectance of War, not as the Malignant party hopes to be reconciled; and this is a great reason why the Devil has brought in this

Sophistry,

Sophistry, to disjoyn the King and Parliament, to the subversion of the Kingdom, an effect of the evill Counsells now prevailing and tending to the dissolution of this Parliament, and the disturbance of the Kingdom; This Parliament the hope and preserver of the Protestant Religion, and of the good and welfare of three Kingdoms; The blows of friends are unkind; and therefore let us pray that God in these distracted times would change the Kings mind, in whose hands the hearts of Princes are as conformable as wax, and that he would give the Parliament his assistance, whose offence can be no other in the opinion of all true Subjects, but their Love and Loyalty to the Kings Majestie: For;

Regis ad exemplum totus componitur orbis.

If that the King be pleas'd Wars to make;
Subjects by His example Arms must take.

FINIS.

MVSEVM BRITAN NICVM